

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29923 of 2014

Arising Out of PS.Case No. -72 Year- 2014 Thana -BETTIAH CITY District-
WESTCHAMPARAN(BETTIAH)

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1. Rajeev Kumar Ranjan Son of Nathuni Prasad Resident of Village - Riuni
Bagh, P.S. - Bettiah (Town), Distt. - West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey

For the Opposite Party/s : Mr. Murlidhar (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

2 16-01-2015 Heard the parties.

This is an application for anticipatory bail for the
offence punishable under sections 269, 406, 419, 420, 467, 468,
471 and 120 (B) of the I.P.C and sections 15 (i)/15 (3) of Indian
Medical Council Act.

Allegedly in a raid in shanti Health Care it was told
that the petitioner was running the said Nursing Home and he was
absent and it was found that untrained persons are engaged in
operation and they were cheating the innocent persons. From
Nursing Home photo copy of different certificates and prescription
of doctor were also seized.

Submission is that the petitioner is O.T. Assistant

having degree from the Bihar Para Medical/Para Dental Examination Committee, Bihar, Patna and further in clinic Dr. Quamruzzaman who is M.D.MS used to perform all surgical works and the petitioner works as only Assistant. The petitioner has also got degree from the State Electro Homeopathic Medical Board and no untrained person is engaged in any operation.

The learned A.P.P. opposes the prayer for pre-arrest bail.

In the facts and circumstances as stated above, as nobody has come forward to complain that untrained persons are conducting operation and as submitted, Dr. Quamruzzaman is performing all surgical work in the clinic of Shanti Health Care and as such the petitioner, in case of his arrest or surrender within two months from the date of receipt/production of a copy of this order shall be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Bettiah, West Champaran in connection with Bettiah (Town) P.S. Case No. 72 of 2014, subject to the conditions as laid down in section 438 (2) of the Cr.P.C.

Abhay/-

(Jitendra Mohan Sharma, J)

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