

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.30248 of 2015**

Arising Out of PS.Case No. -792 Year- 2013 Thana -COMPLAINT CASE District- JAMUI

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Manoj Kumar, son of Raghunandan Mahton, resident of Village- Aliganj Bazar, P.S.- Chandradeep, District-Jamui.

.... .... Petitioner/s

Versus

1. The State of Bihar.
2. Dr. Chandreswar Chaudhary, Son of Gyana Chaudhary, Civil Surgeon Cum C.M.O., Jamui At & P.O.- Jamui, permanent Address. Dr. Chandreshwar Chaudhary, s/o Gyan Chaudhary, Gate no. 5, Army Camp Chandauti, District Gaya.

.... .... Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Umesh Prasad, Advocate  
Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Umeshlal Verma(APP)

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**CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA**  
**ORAL ORDER**

5      22-12-2015                      Heard learned counsel for the petitioner and the learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in connection with Complaint Case No.792C/2013 for allegedly having committed the offence under Sections 22, 23, 24, 25, 28, 29, 30(i) of Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.

Learned counsel for the petitioner submits that on the basis of spot inspection, a complaint was registered making allegations against the petitioner regarding irregularities at the Ultrasound Centre being conducted by him. Learned counsel for the petitioner submits that though the Ultrasound Centre

was functioning, there is no complaint from any quarter regarding determination of sex selection during the test being conducted at the clinic aforementioned. Learned counsel further submits that no such documents have been found at the clinic to implicate the petitioner in any manner so as to attract the provision of PNDT Act, 1994.

Considering the entire gamut of circumstances and that there being no cogent material as described in the inspection report, save and except the fact that no notice board was there at the Ultrasound Clinic, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, 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 Shri U.K. Pandey, learned Judicial Magistrate, 1<sup>st</sup> Class, Jamui, in connection with Complaint Case No.792C/2013, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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