

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11952 of 2015

Arising Out of PS.Case No. -997 Year- 2014 Thana –K. HAT District- PURNIA

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Md. Ishteyaque Alam @ Md. Istiyaque Alam @ Md. Istiyaque Alarm, son
of Md. Jabbar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manish Kumar

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 31-03-2015 Heard learned counsel for the petitioner as well
as learned Additional Public Prosecutor for the State.

Petitioner apprehends his arrest in connection
with K. Hat P.S. Case No. 997 of 2014 registered for the
offences punishable under Sections 419, 420, 467, 468, 471
of the Indian Penal Code and Section 17 of Indian Medical
Council Act, 1970.

The accusation against the petitioner is that he
without having valid qualification was doing practice and
used to write prescriptions for allopathic medicine and also
got printed forged qualifications on his letter pad.

From perusal of the first information report, it would appear that neither any prescription nor any medicine was seized from the clinic of the petitioner.

The stand of the petitioner is that petitioner is holder of degree of Ayurvedic and Unani medicines and in the light of circular of the State Government he used to prescribe and advise his patients to take allopathic medicine. To fortify the above stated contention he drew my attention towards Annexure-3 to this petition.

Earlier, similar type of case was registered against the petitioner and in that case a co-ordinate Bench of this Court granted privilege of regular bail to him vide order dated 13.09.2011 passed in Cr. Misc. No. 29803 of 2011.

Considering the aforesaid facts and circumstances as well as submissions of the parties, particularly, keeping in mind that nothing has been recovered from the clinic of the petitioner, this anticipatory bail petition is allowed and it is ordered that petitioner, in the event of his arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the

Chief Judicial Magistrate, Purnea in K. Hat P.S. Case No. 997
of 2014 subject to condition as laid down under Section
438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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