

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.23138 of 2016**

Arising Out of PS.Case No. -31 Year- 2016 Thana -BHORE District- GOPALGANJ

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Dr. Mukesh Singh @ Mukesh Kumar Singh Son of Shubh Narain Singh R/o  
Vill- Husanepur Bazar, PS Bhorey, District Gopalganj.

.... .... Petitioner/s

Versus

The State of Bihar

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

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**Appearance :**

For the Petitioner/s : Mr. Brij Bihari Tiwary, Advocate

For the Opposite Party/s : Mr. Dr. Ajeet Kumar (APP)

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**CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL**  
**ORAL ORDER**

3      05-08-2016                      Heard learned counsel for the petitioner and the  
  
learned A.P.P. for the State.

Petitioner apprehends his arrest in connection with  
  
Bhorey P.S. Case No. 31 of 2016 registered for the offence  
  
punishable under Sections 419 and 420 of the Indian Penal Code.

The prosecution case, in brief, is that on enquiry  
made by D.C.L.R., Hathua and District Immunization Officer,  
Gopalganj, it was found that petitioner was running a clinic in  
which he used to treat and operate the patient without having any  
medical degree as also used to extort the patient under the garb of  
medical treatment.

It has been submitted by the learned counsel for  
the petitioner that petitioner has committed no offence and has



been falsely implicated in the aforesaid case. He submits that an Inspection Team of two members i.e. DCLR, Hathua and District Immunization Officer, Gopalganj was constituted on 08.03.2014 and after enquiry DCLR, Hathua has submitted report vide letter No. 403 dated 09.08.2014. It has been submitted that the report does not co-relate with the allegation as made in the First Information Report that the petitioner who had a medical shop in the name and style of Raju Medical Hall having licence No. GPJ 75A/12 was doing illegal medical practice and operation. He further submits that in the house of the petitioner, there is a medical clinic in which Dr. Mahendra Singh was treating the patient, who had a valid medical MBBS degree. He further submits that even otherwise the allegation and the report are of the year 2014 and the First Information Report has been lodged in the year 2016 and no plausible explanation has been given for such delay. He further submits that the said registration of the medical shop has expired and new incumbent, namely, Lalan Singh is running the medical shop having licence No. GPJ22A/15 and petitioner has no connection with the said shop.

However, learned A.P.P. for the State submits that petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, since the accusation appears to be stale and suspicious, let the petitioner, named above, in the event of his arrest or surrender before the learned Court below within a period of eight weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gopalganj in connection with Bhorey P.S. Case No. 31 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

**(Nilu Agrawal, J.)**

Arjun/-

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