

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14386 of 2016

Arising Out of PS.Case No. -18 Year- 2016 Thana -CHANPATIA District-  
WESTCHAMPARAN(BETTIAH)

1. Dr. Krishna Prasad son of Sri Shankar Prasad Sah, resident of Village-  
Bhikhampur Bijbania, P.S.- Chanpatia (Sirsia O.P.), District- West  
Champaran, at present Administrator, Maa Bhawani Health Centre,  
Chanpatia, PS.- Chanpatia, District- West Champaran

.... .... Petitioner

Versus

1. The State of Bihar

.... .... Opposite Party

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

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

**CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI  
SHARAN SINGH  
ORAL ORDER**

2 21-04-2016 Heard learned Counsel for the petitioner and  
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,  
arises out of Chanpatia Police Station Case No. 18 of 2016,  
disclosing offences under Sections 418, 419, 420, 308 of  
the Indian Penal Code.

The Incharge Medical Officer of Primary Health  
Centre, Chanpatia is the informant who had inspected "Maa  
Bhawani Health Care Centre" on the instructions of the Civil  
Surgeon -cum- Chief Medical Officer, West Champaran. He  
found the petitioner's name plate and certain persons who  
had undergone surgery of appendix. The patients told the

informant that the petitioner had carried out the surgical operation.

The petitioner claims to be having M.B.B.S. (A.M.) degree. According to him, this degree is of M.B.B.S. in Biochemist system in alternative medicine.

From the nomenclature of the degree which the petitioner appears to have used, it appears that he attempted to allure the people to come to the said clinic to receive his medical treatment, though he does not have the requisite qualification.

Learned Counsel for the petitioner has submitted that the only allegation against the petitioner is that his name plate was there with the said degree mentioned and there is no other allegation against him.

However, I consider the offence committed by the petitioner to be serious in nature and the case is not fit for grant of anticipatory bail. This application is, accordingly, rejected.

The petitioner, Dr. Krishna Prasad, is directed to surrender before the Court below within a period of four weeks from today and seeks regular bail, if so advised. If he does so, his application for regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application

for grant of anticipatory bail.

**(Chakradhari Sharan Singh, J.)**

Prabhakar Anand/-

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