

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34910 of 2016

Arising Out of PS.Case No. -106 Year- 2016 Thana -DUMRA District- SITAMARHI

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Tripti Kumari @ Dr. Tripati Singh @ Dr. Tripati Kumari wife of Rajiv Kumar resident of village- Madhubani Ghat, P.S.- Motihari, Muffasil, District- East Champaran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shakti Suman Kumar, Advocate

For the Opposite Party/s : Mr. Lalan Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 31-08-2016

Heard learned counsel for the petitioner and

the learned A.P.P. for the State.

Petitioner apprehends her arrest in connection with Dumra P.S. Case No. 106 of 2016 registered for the offence punishable under Sections 420, 467, 468 and 474 of the Indian Penal Code.

The prosecution case, in brief, is that the Inspection Team constituted by the District Magistrate, Sitamarhi inspected Asha Seva Sadan, Kumar Chowk, Dumra where two doctors were found practising. It is alleged that the petitioner has degree from AMC, Kolkata which is not valid in Bihar and she was not registered with Medical Council of India. It has been further alleged that she has committed fraud

by writing MBBS.

It has been submitted by the learned counsel for the petitioner that petitioner has degree of MBBS (A.M.) meaning thereby Alternative Medicine degree from the Government of West Bengal and from Alternative Medical Council, Calcutta registered under the Government of West Bengal and the said degree is valid for practising anywhere in India. It has been submitted that it is for the Medical Council of India to investigate or enquire into the charges of medical misconduct or negligence and not the police. He submits that petitioner is providing services in a charitable institution, namely, Asha Seva Sadan and no case under the aforesaid sections, as alleged, is made out against her.

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 petitioner is a qualified doctor having MBBS (A.M.) degree, let the petitioner, named above, in the event of her 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, Sitamarhi in connection with Dumra P.S.
Case No. 106 of 2016, subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Nilu Agrawal, J.)

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