

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41502 of 2016

Arising Out of PS.Case No. -68 Year- 2016 Thana -MOHAMMADPUR District- GOPALGANJ

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Anjesh Kumar Dubey son of Sri Madan Dubey, resident of village-Basant Chhapra, P.S. Mahammadpur, District-Gopalganj, Proprietor Kamla Nursing Home at Mahammadpur Bazar, P.S. Mahammadpur, District-Gopalganj.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prasoon Sinha

For the Opposite Party/s : Mr. U.L. Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 17-10-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in connection with a case registered for the offences punishable under Sections 420/467/468/471 and 120(B) of the Indian Penal Code.

Learned counsel for the petitioner submits that though an allegation has been made that the petitioner is the owner of the Kamla Nursing Home and he was found to be absent from his Nursing Home at the time the enquiry was sought to be conducted thereat, learned counsel for the petitioner submits that there was no illegality committed as the petitioner had already put an application for grant of registration more than one year prior to the date the so-called raid was conducted. He further submits that no

offence is made out against the petitioner under the relevant provisions of the Indian Penal Code as he had already made an application for grant of registration which remained pending at the level of the Health Department.

Considering the nature of allegations made and that there was no violation of any rule on the part of the petitioner so as to make him liable for any offence, let the petitioner abovenamed, in the event of his arrest / surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 learned Additional Chief Judicial Magistrate, Gopalganj, in connection with Mahammadpur P.S. Case No. 68/2016, subject to the conditions as laid down under Section 438(2) of the Cr. P.C.

(Anjana Mishra, J)

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