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* IN THE HIGH COURT OF DELHI AT NEW DELHI

Date of decision: 18.05.2016

+ BAIL APPLN. 719/2016

BIDYUT ROY

.....Applicant

Through

Mr. Santosh Kumar, Advocate along
with applicant

versus

STATE (NCT OF DELHI)

..... Respondent

Through

Mr. M.S. Oberoi, APP for State
SI Uma Dutt, PS Mangol Puri

CORAM:

HON'BLE MR JUSTICE SIDDHARTH MRIDUL

SIDDHARTH MRIDUL, J (ORAL)

1. The present is an application under section 438 of the Code of Criminal Procedure, 1973 (Cr.P.C.) read with Section 482 Cr.P.C. seeking pre-arrest bail in FIR No. 408/2015, under Section 27 of Delhi Medical Council Act, 1997 (hereinafter referred to as 'the Act'), registered at Police Station- Mangol Puri, Delhi.

2. It is alleged in the subject FIR that the applicant is practicing the modern scientific system of medicine without requisite qualification, in violation of the provision of Section 27 of the Act.

3. Mr. Santosh Kumar, learned counsel appearing on behalf of the applicant, on instructions from the latter, who is present in Court today, states that the aforesaid allegation is false and that the applicant has, at no stage, practiced the modern scientific system of medicine in violation of Section 27 of the Act.

4. In other words, it is urged that the applicant has been falsely implicated in the subject FIR.

5. Mr. M.S. Oberoi, learned APP appearing on behalf of the official respondent, fairly concedes that the applicant has joined investigation.

6. In the present case, it is observed that the applicant has clean antecedents. At this stage, there is neither any hint nor allegation that the applicant shall not be available to stand trial or that he may attempt to tamper with the evidence or try to influence the witnesses in the subject FIR.

7. In view of the foregoing, the present bail application is allowed.

8. In the event of applicant's arrest, he shall be released on bail on his furnishing a personal bond in the sum of Rs. 10,000/- with one local surety of the like amount to the satisfaction of the Arresting Officer/Station House In-charge subject to the further conditions:-

(i) That he shall continue to co-operate with the investigation and make himself available for questioning to a Police Officer as and when called upon to do so.

(ii) That the applicant shall not leave the NCT of Delhi without prior permission of this Court.

(iii) The applicant shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the present case so as to dissuade them from disclosing such facts to the Court or to any other authority.

9. With the above directions, the present bail application is allowed and disposed of.

10. *Dasti.*

MAY 18, 2016
SD

SIDDHARTH MRIDUL, J