

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21659 of 2017

Arising Out of PS.Case No. -35 Year- 2017 Thana -TRIVENIGANJ District- SUPAUL

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1. Dr. Pawan Kumar S/o Sri Lakshmi Sah, Resident of Village-Mahisarho,
Via- Mahishi, P.S.- Mahishi, District- Saharsa (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Durgesh Kumar

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR MANDAL
ORAL ORDER

3 10-08-2017 Heard Mr. Durgesh Kumar for the petitioner and Mr.

Anant Kumar, APP for the State.

Apprehending his arrest in Triveniganj P.S. Case No. 35
of 2017 registered under Sections 419, 420, 467, 468, 471, 464,
279 and 120B/34 of the Indian Penal Code and Section 27(a) of
the Drugs and Cosmetics Act, the present application is filed for
grant of pre-arrest bail.

The F.I.R was lodged on the instruction of the Chief
Medical Officer, Triveniganj against 17 named accused persons
with an allegation that they were involved in running illegal
clinics/nursing home/pathology lab in different names and style
without having proper and necessary qualification.

It is submitted that the petitioner is a qualified doctor
and is employed by the Government and presently posted at
Madhepura. He is not practicing at Triveniganj. Referring to the
order dated 13.07.2017 passed in batch of anticipatory bail



applications being Cr. Misc. No. 21238 of 2017 and others, it has been submitted that considering the qualification of the petitioners and the facts and circumstances of the case, several accused persons have been granted the privilege of anticipatory bail.

In the event of arrest or surrender in the Court below within five weeks, the petitioner abovenamed is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Supaul in Triveniganj P.S. Case No. 35 of 2017 subject to the condition as laid down under Section 438(2) of the Cr.P.C. with the further following conditions:

(i) One of the bailers shall be the own/close family members of the petitioner.

(ii) In case of framing of charge, the petitioner shall appear in person on each and every date fixed in the Court below. In case of default in doing so on two consecutive occasions without any cogent/satisfactory reason, the Trial Court shall have liberty to cancel the bail bond of the petitioner and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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