

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.67994 of 2018

Arising Out of PS. Case No.-154 Year-2016 Thana- MOTIHARI MUFASIL District- East
Champaran

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DR. ASHUTOSH KUMAR @ ASHUTOSH KUMAR, S/o Banarsi Das @
Banarsi Prasad, R/v-Raghunathpur, P.O.-Mirpur, P.S. Chiraiya, Distt-East
Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Rajendra Prasad Nat

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is apprehending arrest in a case registered
for the offences punishable under Sections 419, 420, 467, 468,
469, 471 and 474 of the Indian Penal Code.

Basic accusation against the petitioner is of practicing as a
doctor without having valid licence and degree.

It is submitted by learned counsel for the petitioner that
though the petitioner used to suggest medicine to the patients,
but has not prescribed any medicine on prescription. Moreover,
no patient at any point of time has made any complaint against
the petitioner. A statement has been made in paragraph no.3 of
the petition that the petitioner is not having any criminal



antecedent.

It is submitted by learned APP for the State that the petitioner is named in the FIR with specific accusation.

Considering the accusation being not corroborated with the medical report available on record, coupled with statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, East Champaran at Motihari in connection with Mufasil (Lakhaura) P.S. Case No. 154 of 2016, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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