

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.54070 of 2018

Arising Out of PS. Case No.-8 Year-2018 Thana- PAKRIDAYAL District- East Champaran

Dr. Umesh Prasad @ Dr. Umesh Kumar, son of Ramekbal Prasad, resident of Sahil Nurshing Center, Pakarideyal, P.S. - Pakarideyal, District - East Champaran (Motihari).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N. K. Agrawal, Sr. Advocate
Mr. Saket Tiwary, Advocate
Miss. Preety Kunwar, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

5 20-11-2018 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 419 and 420 of the Indian Penal Code.

Allegation against the petitioner is that he was prescribing Allopathic Medicines to the patients, though he is not a qualified Doctor.

Submission of the learned counsel for the petitioner is that petitioner is Diploma In Community Medical Service & Essential Drugs and such diplomas are competent to prescribe 99 medicines which are harmless in the list issued by the Government of India. A copy of the same has been produced in open Court which is on the record.



Finding substance in the submission aforesaid as well as no material to substantiate as to which medicine, the petitioner had prescribed, let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending in connection with Pakarideyal Police Station Case No. 08 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

Kundan/Rajan

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