

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.46495 of 2018

Arising Out of PS.Case No. -25 Year- 2018 Thana -KHUDWAN District- AURANGABAD

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1. RAMASHIS THAKUR @ RAMASHIS KUMAR Son of Sri Rambalak Thakur, resident of Village and P.O.+ P.S.- Khudnwa, District- Aurangabad.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 24-08-2018 Heard learned counsel for the petitioner as well as the State.

The petitioner apprehends his arrest in Khudwan P.S. Case No. 25/2018, instituted for the offences punishable under Sections 419, 420/34 of the Indian Penal Code read with Section 5(2) of Private Hospital and Medical Clinics Act Chapter (248)-1980 Revise Addition 1999.

It is alleged in the written report that the clinic of the petitioner is on the main road and during raid three patients were also found present in the clinic.

Learned counsel for the petitioner has submitted that petitioner is not a doctor. He denies that he runs the clinic or do medical practice. There is no mention of any apparatus showing that the clinic was being run by petitioner. It is further submitted that other



co-accused has already been granted anticipatory bail by this Court in Cr. Misc. No. 44424/2018 dated 31.07.2018.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Khudwan P.S. Case No. 25/2018, he shall 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 the learned Chief Judicial Magistrate, Aurangabad, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioner and (3) if petitioner tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Sanjay Priya, J.)

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