

IN THE HIGH COURT OF BOMBAY AT GOA

CRIMINAL APPLICATION (BAIL) NO. 187 OF 2018

HANUMANTRAYA GOLAPPA BIRADAR., ... Applicant

Versus

**STATE OF GOA, REP. BY OFFICER IN
CHARGE, THR. P.I. MAPUSA POLICE
STATION.,** ... Respondent

Shri Vivek Rodrigues, Advocate for the Applicant.

Shri S.R. Rivankar, Public Prosecutor for the Respondent.

Coram:- C. V. BHADANG, J.

Date:- 19th September 2018

P.C.

This is an application seeking anticipatory bail. The applicant is apprehending arrest in connection with investigation of Crime No. 77/2018 of P.S. Mapusa, under Sections 465, 468, 471, 420 of IPC and Section 27 of the Goa Medical Council Act, 2005.

2. The learned Sessions Judge by an order dated 28.06.2018, has refused to grant pre-arrest bail to the applicant.

3. I have heard Shri Rodrigues, the learned Counsel for the applicant and Shri Rivankar, the learned Public Prosecutor for the Respondent. Perused record.

4. It appears that on 12.03.2018, a complaint was filed by the Registrar, Goa Medical Council to the effect that prior to 08.03.2017, the applicant procured/prepared forged medical certificate dated 31.12.1993, showing it to be issued by the Medical Council of India and has been practising allopathy medicines, on the basis of the said certificate.

5. The applicant has relied upon a letter dated 06.08.2018, purportedly, issued by one Ashok Kumar Harit (the letter is produced alongwith additional affidavit dated 21.08.2018), in order to submit that the registration of the applicant as MBBS (during the year 1990) and as MD (during the year 2000), has been shown to be displayed on the website of Medical Council of India for last 18 years. On the basis of the said letter, the applicant contended that the allegation of the registration of the certificate of the applicant being fake or fabricated is not prima facie made out.

6. In view of the said letter dated 06.08.2018, time was granted to the State to verify the authenticity of the said letter. On behalf of the respondent an additional reply is filed today, which encloses letters dated 12.09.2018 and 13.09.2018 from the Medical Council of India, stating that the alleged letter dated 06.08.2018 itself is fabricated and no such letter was issued by

the Medical Council of India. In that view of the matter, no case for grant of pre-arrest of bail is made out. In the result, the Criminal Application (Bail) is dismissed.

C. V. BHADANG, J.

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