

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52051 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- HISUWA District- Nawada

DR. ASHOK KUMAR Son of Late Chootu Mahto Resident of Village-
Patangi P.S.-Fathepur, District-Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr.Rajeev Kumar Singh Mr.Pramod Kumar Verma
For the Opposite Party	:	Mr.Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

4 23-08-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Hisua P.S. Case No. 30 of 2019 for the offence under Sections 467, 468, 471 and 420 of the Indian Penal Code.

It has been alleged in the First Information Report that the petitioner has duped the informant of substantial amount on the pretext of ensuring her a job on the basis of A.N.M. certificate, which the informant was having. It has been alleged in the First Information Report that the petitioner runs clinic at three places at Warsaliganj in Nawada district. In the First Information Report, the petitioner has been described as ‘Dr. Ashok Kumar’. This petition has also been filed by ‘Dr. Ashok Kumar’. The vakalatnama bears the signature of the petitioner as ‘Dr. Ashok Kumar’.



In response to a query made by this Court, learned counsel for the petitioner has submitted that the petitioner does not have any professional degree of a Doctor. He has, however, submitted that considering the nature of allegation made in the First Information Report, the petitioner deserves grant of anticipatory bail particularly in the light of a decision of this Court in case of *Tarkeshwar Prasad Choudhary vs. The State of Bihar & Anr*, reported in **2017(4) PLJR 87**.

I am not convinced with the submission so advanced on behalf of the petitioner, who, without having any qualification of a Doctor, apparently, has misrepresented himself to be a Doctor not only in the society, but also before this Court. Though learned counsel for the petitioner has submitted that in the party position, name of the petitioner has been described as 'Dr. Ashok Kumar', since he has been named in the First Information Report with that name. I am not convinced with his submission. No case for grant of anticipatory bail is made out in the present facts and circumstances of the case.

This application is accordingly dismissed.

The petitioner is directed to surrender before the Court below within a period of four weeks from today and seek regular bail, if so advised. If he does so, his application for



regular bail shall be considered by the learned Court below on its own merit without being prejudiced by rejection of present application for grant of anticipatory bail.

(Chakradhari Sharan Singh, J)

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