

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30708 of 2020

Arising Out of PS. Case No.-180 Year-2019 Thana- MAJORGANJ District- Sitamarhi

Surendra Pandey, Male, aged about 51 years, S/o Ram Swaroop Pandey, R/o Village-Khairwa Khurd, P.S.-Majorganj, District-Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Jha, Advocate

For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 30-01-2021

Heard Mr. Dinesh Jha, learned counsel for the petitioner and Mr. Jharkhandi Upadhyay, learned In-charge Additional Public Prosecutor (hereinafter referred to as the ‘APP’) for the State.

2. The petitioner apprehends arrest in connection with Majorganj PS Case No. 180 of 2019 dated 21.10.2019, instituted under Sections 290/291/353/34 of the Indian Penal Code; 28/28-A of the Drugs and Cosmetics Act, 1940 and 9 of the Clinical Establishments (Registration and Regulation) Act, 2010.

3. The allegation against the petitioner is that when the Civil Surgeon, Sitamarhi went to inspect the Sanjivani Welfare Hospital at Majorganj on 21.10.2019, he found several irregularities like huge quantity of medicines stored without license and no staff and only one doctor was present and the



petitioner who runs the Hospital committed nuisance and misbehaved with them and when the raiding party tried to seal the rooms of the Hospital, the petitioner assaulted the raiding party.

4. Learned counsel for the petitioner submitted that he has been falsely implicated due to enmity with the Civil Surgeon, Sitamarhi.

5. Learned APP submitted that the petitioner is not a doctor but runs a Hospital only for earning money and did not have license to store such huge quantity of medicines and the premises was not found fit for running the same and the petitioner has obstructed in the authorities doing their job. It was submitted that the petitioner has two other criminal cases under grave sections of various penal laws, including Section 302 of the Indian Penal Code and the Arms Act.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, the Court is not inclined to grant pre-arrest bail to the petitioner.

7. Accordingly, the application stands dismissed.

(Ahsanuddin Amanullah, J)

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