

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3041 of 2022

Arising Out of PS. Case No.-51 Year-2021 Thana- LAUKARIA District- West Champaran

Khurshd Alam @ K. Alam @ Dr. K. Alam S/O Shamshul Hoda R/O Village-
Basantpur, P.S.- Chautarva, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Binod Kumar

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-07-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner undertakes to
remove the defects within three weeks. In the eventuality of
non-removal of defects within undertaken period, the office will
place the matter before the Bench.

The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 336, 419,
420 of the Indian Penal Code and Section 15 (2) (3) of the
Medical Council Act.

It is submitted by learned counsel for the
petitioner that petitioner is innocent and has been falsely
implicated in this case. He submits that there is no specific overt
act against the petitioner. He submits that the petitioner is the
student of 3rd year bachelor of Ayurvedic Medicine and Surgery,



studying in Smt. Manjira Devi Shikshan and Prashikshan Institute, Hitanu, Uttarkashi, Uttarakhand. He submits that the clinic in question was being run by Dr. Kafaitullah having a degree of BUMS having Registration No. 3558. He further submits that petitioner has no criminal antecedent as stated in para-3 of this application.

Learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail. Accordingly, his prayer for anticipatory bail is rejected in connection with Laukariya P.S. Case No. 51 of 2021.

However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be considered by the learned court below on the same day considering the fact that the petitioner is the student and he was not present on the spot.

(Anjani Kumar Sharan, J)

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