

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30954 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- JOGAPATTI District- West Champaran

SAHEB ALAM Son of Islam Mian @ Islam Miya Resident of Village - Dihi,
Ward No. 08, P.S.- Jogapatti, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 21-06-2022 Heard learned counsel for the petitioner and the State.

Petitioner apprehends his arrest in a case registered for the offence punishable under Section 420 of the Indian Penal Code, u/s 3(16) of the Bihar Clinical Establishment, Control & Regulation Act, 2007 and u/s 15(3) of the Indian Medical Council Act.

As per the prosecution case, it was reported that some persons are running nursing home in an unauthorized manner. On such information, a raid was conducted and it was found that two women whose names have been provided in the FIR were made to deliver after operation in the nursing home belonging to the petitioner.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the



case. It is submitted that petitioner used to make complaints against the informant and others for running nursing homes even they were employed as Government doctors and this perhaps has led to the filing of the present case with a wild accusation. It is further submitted that there is no material in the FIR which could indicate that petitioner is a Doctor who runs such kind of nursing home. Petitioner has got clean antecedent.

Learned counsel appearing for the State opposes the prayer for anticipatory bail.

Considering the facts of the case, nature of accusation and clean antecedent of the petitioner, let the petitioner, above named, in the event of his arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, West Champaran, Bettiah in connection with Jogapatti PS case No. 69/2021, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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