

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1607 of 2022

Arising Out of PS. Case No.-569 Year-2020 Thana- RAJAOLI District- Nawada

TARKESHWAR PRASAD @ TARKESHWAR KUMAR S/o Naresh Kumar
Yadav Resident of Village- Gulabnagar, P.S.- Sirdala, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Verma, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks.

The petitioner is apprehending his arrest in a case
registered under Section 88 of Indian Penal Code and Bio
Medical Waste Management Rules, 2016 and Nursing Home
Rules, 2016 and PC-PNDT Act and 18(c) of Drugs and
Cosmetic Act, 1945.

The prosecution case in short is that the the petitioner
was running the ultra sound clinic without authorization.

It has been submitted on behalf of the petitioner that
the petitioner has got no criminal antecedent. There is no



allegation of tampering of witnesses alleged against the petitioner. The petitioner has been made accused due to mistake of fact. The petitioner has got no concern with the ultra sound machine in question. Due to village politics, the petitioner has been made accused.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 569/2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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