

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4657 of 2023

Arising Out of PS. Case No.-468 Year-2022 Thana- KAUWAKOL District- Nawada

MD. IRFAN @ IRFAN ALI Son of Md Kamruddin R/V- Chongwa
Dewangarh, P.S.- Kawakol, District- Nawadah

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mrs. Soni Shrivastava, Adv. Mr. Ram Pravesh Kumar, Adv.
For the Opposite Party/s :	Mr. Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 20-07-2023 Heard the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419, 420 of the Indian Penal Code and 15(2) of Indian Medical Council Act, 1956.

3. The prosecution story, in short, is that on 23.08.2022, the informant along with other officers inspected Mamta Rai Emergency Pvt. Ltd. Hospital, Ashram Road, Kawakole and on inspection, seven patients along with their families were found inside the alleged hospital. It is further alleged that the said hospital was running illegally and petitioner is said to be the owner and proprietor of the said hospital.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to ulterior motive. The allegation



levelled against the petitioner is not specific rather general and omnibus in nature. He has been made accused in the present case merely on suspicion. Petitioner is neither owner nor proprietor of the alleged hospital. He was not apprehended on the spot. He further submitted that there is no evidence in the case diary against the petitioner. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State fairly submitted that there is no evidence in the case diary to indicate the complicity of the petitioner in the present case.

6. Having regard to the facts and circumstances, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Kawakole P.S. Case No. 468 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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