

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25551 of 2023

Arising Out of PS. Case No.-50 Year-2023 Thana- BETTIAH CITY District- West
Champaran

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Pramod Kumar Son Of Birendra Singh Resident Of Nitu Surgicare
(MULTISPECIALIST Hospital), Kotwali, Chowk, Bettiah, P.S.- Paharpur,
District- East Champaran permanent Resident Of Village - Siswa Kodar, Ward
No. 09, P.S. - Paharpur, Distt. - East Champaran, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey
For the Opposite Party/s : Mr. Arun Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 17-08-2023 Heard learned counsel for the petitioner and learned

A.P.P. for the State assisted by learned counsel for the

informant.

2. The petitioner apprehends his arrest in Bettiah
Town P.S. Case No. 50 of 2023 registered for the offences
punishable under Sections 370, 511 of the Indian Penal Code
and Section 40, 41 of the Clinical Establishment Act, pending in
the Court of learned C.J.M., Bettiah, West Champaran.

3. As per the prosecution case, the allegation
against the petitioner is of trafficking of child and also of
running illegal nursing home.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner is registered owner of “Nitu Surgicare” which is established after complains of entire para pharmelia and the clinic is running under the supervision of expert doctors, nurses and medical staffs. According to the F.I.R., no proof was found in respect of viral video and no question has complained about theft and missing of child. The petitioner has one criminal antecedent as mentioned in para-3 of the bail application.

5. Learned APP for the State and learned counsel for the informant opposed prayer for anticipatory bail and submitted that the petitioner is involved in the present case. Hence, he does not deserve privilege of anticipatory bail.

6. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected.

7. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by



this order, considering the judgment of Hon’ble Apex Court in the case of *Satender Kumar Antil Vs. C.B.I.* reported in *AIR 2022 SC (Cri) 1025*.

8. Accordingly, this application stands disposed of.

(Anjani Kumar Sharan, J)

anand/-

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