

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23829 of 2023

Arising Out of PS. Case No.-216 Year-2022 Thana- RAJNAGAR District- Madhubani

Rabindra Kumar Singh S/o Harilal Singh @ Hari Lal Mahto R/O Village-
Jokahi, Ward No. 12, P.S- Laukaha, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sujit Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Rajnagar P.S. Case No. 216 of 2022 registered on 12.08.2022 for the alleged offences under Section 420 of the Indian Penal Code and Sections 22 & 23 of Pre-Conception & Pre-Natal Diagnostic Techniques Act, 1994.

3. As per prosecution case, the petitioner was found to be running an ultra sound centre illegally. No doctor was found attached with the ultra sound centre and it was not registered. The centre was ordered to be sealed.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The ultra sound centre mentioned in the FIR does not



belong to the petitioner and he has no concern with the same. There is no independent witness who might come forward to support the prosecution case and the police recorded only the statement of five members of enquiry team, who are all interested witnesses. The petitioner and his nephew applied for the running of an ultra sound centre and the business rivalry got the petitioner falsely implicated in this case. The petitioner is in custody since 09.02.2023 and charge sheet has been submitted. The petitioner has got no criminal history.

5. Learned APP opposes the prayer for bail.

6. Having regard to the facts and circumstance and submissions made on behalf of the parties and considering the period of custody of the petitioner with clean antecedent and submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned District & Sessions Judge, Madhubani/concerned court in connection with Rajnagar P.S. Case No. 216 of 2022, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions :

(i) One of the bailors will be a close relative of the petitioner.



(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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