

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47493 of 2023

Arising Out of PS. Case No.-146 Year-2022 Thana- BHAPTIAHI District- Supaul

SITARAM MEHTA Son of Ramdeo Mehta Resident of village - Korhali, P.S.
- Bhaptiyahi, Distt. - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhat Kumar Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 2 04-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Bhaptiyahi P.S. Case No. 146 of 2022 dated 9.11.2022 registered for the offence punishable u/s 269, 420, 313, 467, 468, 471 379, 411, 120B read with section 34 of the Indian Penal Code and 41 of the Clinical Establishment (Registration and Regulation) Act.
4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have run a clinic and was



doing the business of illegal abortion. It is further alleged that there was not proper license of the said clinic.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case due to enmity and local politics. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is the owner of the clinic and he is not the doctor in that clinic. Learned counsel has further submitted that the petitioner has valid license to run the clinic. The petitioner is accused in two other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 21.3.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Supaul in connection with Bhaptiyahi P.S. Case No. 146 of 2022.



8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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