

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46832 of 2022

Arising Out of PS. Case No.-178 Year-2022 Thana- KUDRA District- Kaimur (Bhabua)

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SANJAY SINGH SON OF KANHAIYA SINGH R/O VILLAGE- KENAR
KALA, P.S.- CHENARI, DISTRICT- ROHTAS AT SASARM

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Pravesh Nath Tiwari, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

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

ORAL ORDER

3 18-01-2023 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable u/s 420 of the Indian Penal Code and Clinical Establishments (Registration and Regulation) Act, 2010.

As per the prosecution case, the allegation against the petitioner is that the petitioner was running an unregistered hospital and the petitioner was the owner of the said hospital. At



the time of raid, the petitioner was present and 18 patients were found undergoing treatment in the said hospital.

Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. He has submitted that the offence under the Clinical Establishment Act is bailable. He has further submitted that no any patient made complaint regarding the medical treatment. The petitioner is accused in one more criminal case which has been registered after the present case.

Learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty thousand) each with two sureties of the like amount each to the satisfaction of learned court concerned, Bhabua in connection with Kudra P.S. Case No. 178 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure with following condition.

1. The petitioner is directed to remain physically present before the learned Court below on each and every date,



failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

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