

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55928 of 2023

Arising Out of PS. Case No.-112 Year-2023 Thana- MAHKAR District- Gaya

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SATYENDRA KUMAR @ SATYENDRA MAHTO S/O - JAGESHWAR
MAHTO R/O VILLAGE - NADRA, P.S. - MAHKAR

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deepak Kumar
For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 14-09-2023 Heard the parties.

2. The petitioner apprehends his arrest in connection with Mahakar P.S. Case No.112 of 2023, registered for the offence punishable under Sections 419, 420 of the Indian Penal Code and u/s 15(2)(b), 15(3) of Medical Council Act, 1956.

3. The allegation against the petitioner is that he is running a nursing home without any valid Government license.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and have committed no offence. He has been falsely implicated in this case. No such occurrence, in the manner as alleged, has ever taken place. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the said nursing home was running in the house of petitioner on rent and merely on the



basis of suspicion he has been made accused. He further submits that maximum punishment is of one year in the alleged offence. Petitioner has no criminal antecedent.

5. Learned APP for the State opposed the prayer for anticipatory bail.

6. Having regard to the facts and circumstances of the case as no valid license of the nursing home in question, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

7. Accordingly, this application is dismissed.

8. However, if the petitioner surrenders before the learned Court below within a period of six weeks from today and seek for regular bail, the learned Court below shall pass the order on the same day in accordance with law, considering that the maximum punishment is of one year in the alleged offence and also the judgment of Hon'ble Apex Court passed in the case of *Satendra Kumar Antil v/s. Central Bureau of Investigation & Anr. (2022) 10 SCC 51*.

(Anjani Kumar Sharan, J)

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