

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69187 of 2023

Arising Out of PS. Case No.-239 Year-2022 Thana- GURARU District- Gaya

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SUNIL KUMAR SON OF NARAYAN YADAV RESIDENT OF VILLAGE -
KIYAKHAP, P.S. - RAFIGANJ, DISTRICT - AURANGABAD

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aryan Singh, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 01-11-2023 1. Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Guraru P.S. Case No. 239/ 2022 dated 14.12.2022
registered for the offence(s) punishable under Section(s) 419,
420 of the Indian Penal Code and under Section 15(2) of the
Indian Medical Council Act, 1956.

3. The main submissions advanced by the learned
counsel for the petitioner are that the petitioner has fair and
clean antecedent and as per allegation, he was found running an
illegal Nursing Home but the alleged illegality in the running of
said nursing home has not been disclosed in the FIR and
alleged offences under Sections 419 and 420 of the IPC are not
made out against the petitioner and the offence under Section



15(2) of the Indian Medical Council Act is bailable. Further submission is that in fact neither any Nursing Home was opened nor run by the petitioner and not a single patient was treated in the alleged premises which is stated to have been raided and the FIR does not show that any medical equipment showing running of any Nursing Home was found from the alleged premises and the said fact is suffice to falsify the allegation made against the petitioner.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the nature of allegation appearing against this petitioner from the FIR as well as his fair and clean antecedent, mentioned in paragraph no.3 of the petition, in my opinion, in the said circumstances, petitioner deserves to the privilege of anticipatory bail. Accordingly, let the petitioner named-above, in the event of his arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail in connection with Guraru P.S. Case No. 239/2022 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned, subject to the conditions as laid down



under Section 438(2) of the Cr.P.C.

(Shailendra Singh, J)

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