

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3948 of 2024

Arising Out of PS. Case No.-432 Year-2022 Thana- PALIGANJ District- Patna

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Anish Kumar @ SRI ANISH KUMAR SON OF JAGPATI NARAYAN
SINGH RESIDENT OF VILLAGE- HARPURA, PS- DULHIN BAZAR,
DISTT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.C. Verma, Sr. Advocate
Mrs. Usha Kumari Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar Singh No.1, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

- 4 24-04-2024 Heard Mr. Yogesh Chandra Verma, learned senior counsel assisted by Mrs. Usha Kumari Singh, learned Advocate for the petitioner and Mr. Anil Kumar Singh No.1, learned A.P.P. for the State
2. Learned counsel for the petitioner filed a supplementary affidavit in Court. Let it be kept on record.
3. The petitioner apprehends his arrest in Paliganj P.S. Case No. 432/2022 registered for the offences punishable under Sections 420, 468 and 471 of the Indian Penal Code and Section 15 of the Indian Medical Council Act pending in the Court of learned S.D.J.M., Danapur.
4. The allegation against the petitioner is that he was illegally running a hospital at Paliganj in the name and style of Sanskar



Hospital.

5. It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case. It is further submitted that no incriminating paper has been recovered from the place of occurrence in course of inspection by the team constituted by the Civil Surgeon, Patna. It is further submitted that no offence is made out under Section 15 of the Indian Medical Council Act. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

6. Learned APP for the State vehemently opposing the bail petition submitted that there is ample evidence against the petitioner in the case diary, hence the petitioner does not deserve anticipatory bail.

7. Considering the facts and circumstances of case, I am not inclined to enlarge the petitioner on anticipatory bail. The prayer for anticipatory bail of the petitioner is hereby rejected. However, if the petitioner surrenders before the learned Court below within six weeks from today and seek regular bail, the learned Court below would pass order on the same day in accordance with law without being prejudiced by this order in



view of the law laid down by the Hon’ble Apex Court in the case of **Satendra Kumar Antil Vs. Central Bureau of Investigation and another** reported in **(2022) 10 SCC 51** and in the case of **Arnesh Kumar Vs. State of Bihar** reported in **(2014) 8 SCC 273**.

(Anjani Kumar Sharan, J)

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