

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10096 of 2024

Arising Out of PS. Case No.-825 Year-2022 Thana- BAGHA District- West Champaran

1. Natwarlal Mahato @ Natwarlal Mahto Son of Gena Mahto R/o vill - Parsi Manwa, P.S. - Shikarpur, Distt. - W. Champaran
2. Rima Devi W/o Umesh Ram R/o vill - Khekhariya Tola, P.S. - Bhairoganj, Distt. - W. Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar

For the Opposite Party/s : Mr.Jagdhara Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 11-03-2024 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bagaha, P.S. Case No. 825 of 2022 dated 26.11.2022 registered for the offences punishable u/ss 336, 419, 420 and 276 read with 34 of the Indian Penal Code and Section 16 Bihar Clinical Establishment Act.

3. As per the prosecution case, S.H.O of Bhairoganj and Panchayati Raj Officer arrived at Bhairoganj to inspect illegal nursing home and on search five women were found under treatment for operation in nursing home, Bhairoganj where they inquired those women and their family members but



they did not say anything. Further, no documents related to check-up or any satisfactory reply has been given by the patients.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. The petitioners have no criminal antecedent as stated in para 3 of the bail petition. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up during the course of investigation. Learned counsel has submitted that the petitioners are neither the doctor nor the owner of the hospital.

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

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioners, in the event of their 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, West Champaran at Bagaha in connection with Bagaha, P.S. Case No. 825 of 2022, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.



7. This application stands allowed.

(Chandra Prakash Singh, J)

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