

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36927 of 2024

Arising Out of PS. Case No.-913 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Khalida Anjum @ Dr. Khalida Anjum D/O Nesar Ahmad R/O Vill.-
Madhopur, Madhumalat, P.S.- Turkauliya, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 12-07-2024 Heard learned counsel appearing on behalf of

the petitioner and learned APP appearing on behalf of the

State.

2. The accused/petitioner is named in the FIR and

apprehending his arrest in connection with Turkauliya P.S.

Case No. 913 of 2023 for the offences punishable under

Sections 420, 467, 468, 469, 471 and 120-B of the Indian

Penal Code.

3. The allegation against the petitioner is to run a

clinic without registration under Clinical Establishment Act.

4. It is pointed out by learned counsel that

petitioner is holder of BEMS Degree issued from the Council



for Jauhar Electro Homeopathy, Hyderabad. It is submitted that due to lack of knowledge/negligence, the petitioner could not registered his clinic under Clinical Establishment Act. It is further pointed out that that non-registration of clinic was neither intentional nor deliberate rather it is an administrative negligence and any such non-compliance cannot be said that petitioner has cheated any person on the basis of forged documents. It is submitted that certificate of petitioner is not appears disputed by informant and moreover there is no private complaint against him.

5. The learned APP for the State opposes the prayer of anticipatory bail.

6. In view of aforesaid factual submissions, as *prima facie* allegation appears regarding non-registration under Clinical Establishment Act, where there is no complaint of cheating from any private persons, accordingly, the above-named petitioner is directed to be released on bail in the event of his arrest or surrender within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned Additional Chief Judicial Magistrate-6, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 913 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with further conditions:-

(i) That accused/petitioner shall co-operate in the trial and shall be physically present on each and every date before the trial court till conclusion of the trial and exemption from physical appearance be allowed by the trial court only on medical ground of the petitioner duly support by the documents.

(ii) That the petitioner shall not run alleged clinic further without registering the same under the Clinical Establishment Act after due verification of his degree as annexed with present bail petition, till disposal of this case.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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