

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38822 of 2024

Arising Out of PS. Case No.-47 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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Bipin Kumar Singh @ Dr. Bipin Kumar Singh, Son Of Sudhir Kumar Singh,
Resident Of Village - Nandgra, Jarlahi, Makhdumpur, P.O. - Pawai, P.S. -
Kodha, District - Katihar, Bihar

... .. Petitioner/s

Versus

The State Of Bihar Represented Through The Civil Surgeon Cum Chief
Medical Officer, Katihar, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bipin Bihari, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner is apprehending
his arrest in connection with CII Case No. 47 of 2023 registered
for the alleged offences under Sections 23, 24 and 25 of the Pre-
Conception & Pre-Natal Diagnostics Techniques (Prohibition of
Sex Selection) Act, 1994.

3. As per prosecution case, when the inspection of the
ultra sound center of the petitioner was made, it was observed
that no doctor was present and the patients were waiting for the
doctor and no documents were produced during inspection.

4. Learned counsel appearing on behalf of the
petitioner submits that the petitioner is innocent and has been



falsely implicated in this case. Petitioner is a qualified doctor and he used to commute from Katihar to Manihari and for this reason it takes some time to reach the place. Petitioner also runs an OPD service in the same premises and the patients were waiting there for getting consultation in the OPD. Another doctor Baijnath Soren having qualification of M.D. in Radiodiagnosis performs ultrasonography in the ultra sound centre of the petitioner. There is no allegation that any preconception tests were being done otherwise allegations do not constitute any offence under Sections 23, 24 and 25 of the PC and PNDT Act, 1994. Petitioner is having clean antecedent.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner and also considering the clean antecedent of the petitioner coupled with possibility of false implication, let the petitioner named above, in the event of his arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the



satisfaction of learned S.D.J.M., Katihar/court concerned in connection with CII Case No. 47 of 2023, subject to the condition laid down under section 438(2) of the Code of Criminal Procedure and other following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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