

Arising Out of PS. Case No.-35 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Bimal Kumar
For the Opposite Party/s : Mr.Md. Fahimuiddin

2 21-08-2024 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 23, 24, 25 of PC and PNDT Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and runs Raj Ultrasound Centre at Rash Chowk, Barsoi Bazar, District-Katihar. It is further submitted that a complaint case came to be instituted against the petitioner by the Civil Surgeon, Katihar on the direction of the District Magistrate with an allegation that petitioner has sent documents till April, 2023, which is different from the records maintained at the District Headquarter. Further,



Form-F was not produced and report of May, 2023 has not been sent.

4. The learned counsel for the petitioner submits that offences for which the instant complaint has been instituted carries punishment in between 3-5 years. It is also submitted that it is not the case of of the complainant that any illegality was committed rather procedural irregularity is alleged to have been committed. It is also submitted that petitioner has not violated any rules and acts of PC and PNDT Act in general rather the staffs of the Diagnostic Centre was maintaining the register and it might be a possibility that inadvertently, the report could not be sent in time. It is next submitted that petitioner has a copy of Form-F. It is also submitted that petitioner will not abscond rather will cooperate in the trial.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 50,000/- (Rupees Fifty Thousand) with two sureties of the like amount each to the



satisfaction of the learned Sub-Divisional Judicial Magistrate, Katihar in connection with C-II Case No.35 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C. with a condition that one of the bailors of the petitioner shall be his father, namely, Panchanand Mitra.

7. The application stands allowed.

8. However, in the event, if the learned trial Court comes to a conclusion that the petitioner after his release is trying to delay the trial in any manner, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

(Satyavrat Verma, J)

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