

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52832 of 2024

Arising Out of PS. Case No.-611 Year-2022 Thana- RAMNAGAR District- West Champaran

Dr. M. Alam @ Manjar Alam son of Md. Jan Ansari Village- Semari
Bhawanipur Ps- Nawalpur Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Milind Kumar Mishra, Adv.

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-08-2024 Learned counsel for the petitioner is permitted to
make correction in paragraph no. 3(i) to the bail petition.

2. Heard learned counsel for the petitioner and learned
counsel for the State.

3. The petitioner apprehends his arrest in connection with
Ramnagar P.S. Case No. 611 of 2022 registered under Sections
447, 448, 336, 379, 419, 420, 307 of the Indian Penal Code and
Section 15(2) of the Indian Medical Council Act, 1956.

4. As per prosecution case, on 23.08.2022 at 18 "o'clock,
the City Emergency Hospital Trama Center was sealed and
F.I.R. was lodged. On 25.12.2022, at about 13:30, information
was received that the said hospital was opened. When the
informant reached the said hospital, he found the seal was
broken and an operation was conducted. The operated patient



was transferred to a medical college, Bettiah. Again, the hospital was sealed, and the whole process of it was made into photography. The Manager of hospital was not present. It has been alleged that without getting permission by breaking the seal, the manager of said hospital was running the hospital and conducting operations.

5. Submission of learned counsel for the petitioner is that petitioner was the Manager of the said hospital and he was not present at the place of occurrence. It is further submitted that as per F.I.R., patient Meena Devi was operated but the statement of Meena Devi has not been recorded, which shows that the present case has been lodged without inspecting the spot.

6. Learned A.P.P. appearing on behalf of the State vehemently opposed the prayer for bail and submits that there is specific allegation against this petitioner that he without getting permission from the concerned authority broke the seal and conducted operation. Petitioner does not have requisite qualification. He is simply a B.A.M.S. degree holder and has got no license of surgery. Petitioner has got two criminal antecedent, in which one is of similar nature. Hence, he does not deserve the privilege of anticipatory bail.

7. Having considered the nature of accusation and the



gravity of offence, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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