

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67890 of 2024

Arising Out of PS. Case No.-308 Year-2023 Thana- LALGANJ District- Vaishali

Dilip Kumar Singh, Son of Dharamdeo Singh Resident of Tinpulwa Chowk,
Lalganj, District -Vaishali at Hajipur, Proprietor of M/s Harideo Clinic

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anurag Saurav

For the Opposite Party/s : Mr.Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 18-12-2024 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 409, 420, 467 and 468 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and has been
falsely implicated in the instant case by the informant. It is next
submitted that petitioner runs Harideo Clinic at Lalganj. It is
next submitted that petitioner bagged the contract from the
government for performing Tubectomy operation in the Year
2008. It is submitted that after Tubectomy operation were
conducted, the authorities in the Year 2008 itself cancelled the
said contract, as such, the petitioner moved before this Court by



filing CWJC No.18226 of 2009 with a prayer that the authorities be directed for making payment of the Tubectomy conducted by the petitioner and his team apart from other relief. It is further submitted that said writ application was disposed of by an order dated 24.11.2011 with a liberty to the petitioner to approach the Civil Surgeon-cum-Member Secretary, District Health Society, Vaishali along with an application giving details of his claim and interest and in the event, if it was found that the dues are admitted in that event, the same shall be paid to the petitioner immediately.

4. It is next submitted that the petitioner in compliance of the order dated 24.11.2011 in CWJC No.18226 of 2009 submitted his claim before the Civil Surgeon, Vaishali, but the claim came to be rejected by an order dated 20.10.2012, thereafter petitioner again filed CWJC No.21733 of 2013 for setting the aside the order passed by the Civil Surgeon, Vaishali and for making payment of his dues. It is submitted that CWJC No.21733 of 2013 was allowed by an order dated 30.10.2017, against which the State filed L.P.A. No.833 of 2018 along with L.P.A. No.840 of 2018. The learned counsel submits that the order of the writ Court was upheld with certain modification that the authorities will satisfy themselves with regard to the



claim raised by the petitioner and in the event, if it is found that the claims are genuine then the same had to be paid by 27.04.2019. The learned counsel submits that the authorities in compliance of the order passed by this Court released certain payments in favour of the petitioner. It is submitted that the authorities made part payment to the petitioner and also rejected the some of his claim, as such, the petitioner moved before this Court by filing MJC No.2146 of 2019. It is submitted that this Court in the contempt application imposed cost on the authorities and also gave liberty to the petitioner to challenge that part of their claim which was rejected by the authorities. It is next submitted that after such development took place, the instant case came to be instituted with an allegation that there was manipulation in the Tubectomy Operation conducted by the petitioner and his team for which the bills were placed. The learned counsel for the petitioner submits that the allegation as alleged in the FIR never formed part of any of the counter-affidavits filed by the State in the aforesaid writ application.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Lalganj P. S. Case No.308 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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