

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70978 of 2023

Arising Out of PS. Case No.-813 Year-2023 Thana- TURKAULIYA District- East
Champaran

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DR. VINOD PRASAD @ VINOD PRASAD Son of Dhuplal Mahato @
Dhuplal Prasad R/o vill - Pipariya Nagar Toli, P.S. - Turkauliya, Distt. - East
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Dinesh Singh, APP.

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 05-02-2024 Heard learned counsels for the parties.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 420, 467, 468, 471, 469 of the Indian Penal Code.

3. As per the prosecution case, on the basis of Letter No. 221 dated 19.07.2023 of Sri Arjun Kumar Gupta, Incharge Medical Officer, Community Health Center, Turkauliya, the present case has been lodged against the petitioner, Vinod Prasad. In the said letter, it is mentioned that as per the instruction contained in Letter No. 2840 dated 03.04.2023 and Letter No. 3487 dated 01.07.2023 of Civil Surgeon, Motihari, East Champaran, the petitioner is proprietor of Sudha Health Center, Bairiya Bazar, Turkauliya has running illegally his clinic



on the basis of forged degree. During the course of inspection, the committee constituted by Civil Surgeon, the aforesaid Health Center has found illegal and *vide* this office Letter No. 218 dated 15.07.2023 the clinic of the petitioner has sealed.

4. It is submitted by learned counsel for the petitioner that petitioner is innocent and has committed no offence. No such occurrence as alleged ever took place. The fact is that the petitioner is not a doctor rather he is the owner of the said building which was taken on rent by his nephew Dr. Raushan Kumar and Dr. Raushan Kumar has obtained his degree of B.A.M.S., and has also applied for registration of clinical establishments. The agreement between the petitioner's father and Dr. Raushan Kumar is annexed as Annxure-2, 2/1 and 2/2 in this petition. Petitioner has been falsely implicated in this case because he is owner of the said building. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Petitioner has one criminal antecedent as mentioned in para-3 of this application.

5. Learned APP for the State as well as learned counsel for the informant opposed the prayer for bail of the petitioner.

6. Having regard to the facts and circumstances of the case, petitioner is not the license holder it is clear from the



documents enclosed in the bail application, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Turkauliya P.S. Case No. 813 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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