

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78659 of 2023

Arising Out of PS. Case No.-55 Year-2023 Thana- LAUKARIA District- West Champaran

Dheeraj Kumar, Male, aged about 21 years, son of Pramesh Sah, R/O Village- Ward No.-3, Kailashpur, Hawaii Adda, P.S.- Balmikinagar, Dist- West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Ram Kishun Prasad, Advocate
For the Opposite Party : Mr. Uday Chand Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 25-01-2024 Learned counsel for the petitioner is permitted to remove the defect(s), as pointed out by the office, if any, within a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in connection with Laukariya P.S. Case No. 55 of 2023 dated 13.06.2023 registered for the offence punishable under Sections 336, 419, 420 of the I.P.C. and Sections 15 (2)(3) of the Indian Medical Council Act, 1956.

4. As per the prosecution case, the informant and other officials on the direction of S.D.M., Bagaha,



conducted a raid on 'Vindhyavasini Ultrasound, Harnatand of the petitioner. Thereafter, the petitioner has not produced Ultrasound PNDT registration number and government approval to run such centre. It is further alleged that no doctor or technician were found at the said Ultrasound Centre. Hence, one Laptop, Ultrasound Machine, Printer, UPS and a Register having entry of the patients' name and fee were seized from the place of occurrence.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has been falsely implicated in this case. It is submitted that the entire case is false and fabricated and there is no iota of truth. The petitioner has no concern with the alleged illegal running of Ultrasound Centre. It is further submitted that from perusal of the F.I.R., it appears that the petitioner was present but it was not disclosed in the F.I.R. where he was present either in the shop or outside the shop. The petitioner has one criminal antecedent as stated in paragraph no. 3 of the bail application.

6. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.



7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, be enlarged on anticipatory bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court concerned, Bagaha, West Champaran, in connection with Laukariya P.S. Case No. 55 of 2023, subject to the condition as laid down under Section 438(2) of the Code of Criminal Procedure with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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