

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84897 of 2023

Arising Out of PS. Case No.-195 Year-2023 Thana- AMAS District- Gaya

PANKAJ KUMAR SON OF HULAS YADAV RESIDENT OF VILLAGE -
MASURIWAR, P.S. - AMAS, DISTRICT - GAYA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Javed Jafar Khan, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

7 18-10-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Amas P.S. Case No. 195 of 2023 instituted under Sections 419, 420, 467, 468 and 34 of the Indian Penal Code and 5, 15(3) of Medical Council Act lodged on 02.06.2023 by the informant, Dr. Mahesh Kumar.

3. As per the prosecution story, the informant alleged that while conducting the raid on the Nursing Homes Gautam Clinic and Sai Hospital were raided, the same were done under the direction of the Patna High Court and the district Higher Officials and since they were running illegally, the FIR.

4. Learned counsel for the petitioner submits that his brother, Pappu Kumar was running the Gautam Clinic where Doctor Sanjeev Kumar treated the patients. He is brother of



Pappu Kumar and has no concern with the said clinic. Further submission is that he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that he being the brother of Pappu Kumar cannot exonerate himself from the responsibility.

6. Though, the petitioner is brother of Pappu Kumar who was running the Gautam Clinic illegally and as per the submission, it was solely run by Pappu Kumar and Doctor Sanjeev Kumar was serving as the Doctor, this petitioner do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Amas P.S. Case No. 195 of 2023 to the satisfaction of learned Judicial Magistrate, First Class, Sherghati, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official



document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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