

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1274 of 2024

Arising Out of PS. Case No.-38 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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Dr. Md. Hasibur Rahman @ Dr. Md. Hasibul Rehman @ Md. Hasibur Rahman S/o Md. Ataur Rahman R/o village-Baghwa, P.S.-Balua Belon, District-katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr.Adv. Mr. Rajendra Prasad Sah Mr. Kumar Rajdeep
For the Opposite Party/s :		Mr.Mohammed Arif,APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5. 02-05-2024 Heard learned senior counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for offence under Sections 23 and 25 of Pre-conception and Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994.

3. As per prosecution case, a raid was conducted for inspection of Ultrasound Centres, where some irregularities were found by the inspecting team i.e. doctors not found during inspection, Form “F” not found, patients were not examined by doctor etc.

4. Learned senior counsel appearing on behalf of



petitioner submits that allegation of irregularities in the conduct of test in the Ultrasound Centre is baseless and the report of irregularities was submitted by the inspecting team without proper verification. Though, in the inspecting team, there was a doctor, but he had no experience in the field of diagnosis management. He further submits that petitioner is himself a registered medical practitioner, having degrees of M.S. (General Surgery), P.G. Diploma in Ultrasonography, General Surgeon & Sonologist, and he also runs his own clinic in the same building. Earlier, petitioner was also an authorized doctor in Jugnu Ultrasound Centre from 2015 to 2020 and as such, the allegations so levelled against this petitioner are completely false, frivolous and concocted. Petitioner has got clean antecedent.

5. Learned A.P.P. for the State has opposed the bail petition.

6. Considering the aforesaid facts and circumstances, let the above named petitioner, in the event of arrest/surrender within a period of six weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Katihar in connection with C II Case No. 38 of 2023,



Tr. No. 566 of 2023, subject to condition as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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