

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83919 of 2023

Arising Out of PS. Case No.-30 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Katihar

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Kamar Hashmi @ Quamar Hashmi @ Kamar Hasmi Son Of A.B. Hashmi
R/O Village- Balthi Maheshpur, P.S.- Kusela, Dist.- Katihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate.
For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-01-2024 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 C-II Case No. 30 of 2023 registered for the

offence punishable u/s 23 and 25 of Pre-Conception and

Pre-nata Diagnostics Techniques (Prohibition and Sex

Selection) Act, 1994.

4. As per the prosecution case, an inspecting team

was constituted of local BDO, Kursela, O.C, Kursela P.S. as



well as Block Health Officer, Korha, conducted a raid in the ultra sound centre of the petitioner and the raiding party pasted a notice on the door of Life Line Hospital and Dental Care Balthi Maheshpur, Kursela. It is further stated that during the course of inspection, it was found by the inspecting team that there was mismatch in the signature of doctor and patients, further there was no mentioning of the registration number on the display board. In this connection a report was submitted to the Civil Surgeon, Katihar for taking the necessary action.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. It further submitted that on the alleged day of raid, the Ultrasound Centre of the petitioner was closed, so no registration number was displayed on the board. The petitioner has no criminal antecedent as stated in para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently 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/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned court concerned, Katihar in connection with C-II Case No. 30 of 2023, subject to conditions as laid down under section 438(2) of the Code of Criminal Procedure.

8. The application stands allowed.

(Chandra Prakash Singh, J)

Nilmani/-

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