

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8870 of 2025

Arising Out of PS. Case No.-1026 Year-2024 Thana- GAYA MUFASIL District- Gaya

Bablu Pandit Son of Viseswar Prajapati Resident of Village - Aropur, P.S. -
Fatehpur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anshul, Sr. Adv
		Mr. Anuj Kumar, Adv.
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-03-2025 Heard the parties.

2.The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Muffasil P.S. Case No. 1026 of 2024 registered for the offences punishable under Sections 318(4), 338, 336(3), 340(2), 3(5) of the BNS [corresponding Sections of IPC: 420, 467, 468, 471, 34 respectively) & Section 3 of the Indian Medical Council Act, 1956 and 15(2)(B) of the Indian Medical Council Act.

3. The allegation against petitioner is to run medical clinic unauthorizedly without fulfilling the criteria as established by the Government.

4. It is submitted by Mr. Anshul learned senior



counsel while appearing on behalf of the petitioner that the petitioner is qualified Homeopathic practitioner and is duly registered under the Bihar Development of Homeopathic System of Medicine Act, 1953. It is submitted that nursing home in issue was also registered with the government but as its registration was expired on 09.06.2022 as per letter date 15.11.2024 issued by Incharge Medical officer, Community health center, Manpur, Gaya, for said reason, present implication was made. It is submitted that petitioner is working in this field since 2017 and no such complaint was ever made against him. It is submitted that *prima-facie* no offence as alleged appears to be made against this petitioner rather he was implicated out of certain irregularities or formalities which is apparent from FIR itself as registration of his nursing home was not renewed on time. It is also pointed out that no complaint was made by any private complainant/patient admitted in nursing home. While concluding argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposed the prayer of bail.



6. In view of aforesaid factual and legal submission and by taking note of fact as implication of this petitioner appears *prima-facie* mainly on the basis of the fact as registration of his clinical establishment/nursing home expired on 09.06.2022, accordingly petitioner who is a homeopathic practitioner and a man of clean antecedent, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Gaya/concerned Court, where the case is pending in connection with Muffasil P.S. Case No. 1026 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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