

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14637 of 2024

Arising Out of PS. Case No.-228 Year-2023 Thana- GURUA District- Gaya

1. Dr. Ram Pukar Prasad Rahi @ Ram Kumar Prasad Rahi Son of Not Known R/o Village and Post- Sagahi, P.S.- Gurua, District- Gaya (Bihar)
2. Binod Clinic Nabipur More @ Binod Kumar Son of Badri Prasad Resident of Village- Itawan, P.O. and P.S.- Gurua, Dist.- Gaya (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dudheshwar Singh, Adv.

For the Opposite Party/s : Mr. Vinod Shanker Modi, APP.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

13 17-06-2025 Heard learned counsel for the petitioners and learned APP
for the State.

2. Learned counsel for the petitioners, at the outset, withdraws the anticipatory bail application on behalf of petitioner no.1, namely, Dr. Ram Pukar Prasad Rahi @ Ram Kumar Prasad Rahi.

3. Now, this application survives for petitioner no. 2 only.

4. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 419, 420, 467, 468/34 of the Indian Penal Code and 5.15(3) of the Medical Act, 1956.



5. The FIR has been lodged against 18 illegal nursing homes and 7 pathology centres alleging that the doctors are engaged in illegal practice without having the requisite certificate and qualifications.

6. Learned counsel for the petitioner submits that there is no specific allegation against the petitioner as per the FIR and the petitioner has also filed some papers regarding the clarification and qualification as medical practitioner of Patho Lab operator. It is also submitted that other similarly situated co-accused persons have been extended the privilege of anticipatory bail by the learned Court of Additional Sessions Judge, Sherghati, Gaya on 23.08.2023 and the said order has been brought on record by way of Annexure-P/3. It is further argued that no incriminating article has been seized from the possession of the petitioner and this petitioner has also been granted protection in the form of no coercive step would be taken against him during the pendency of the present application.

7. Learned APP for the State opposes the prayer for bail.

8. Considering the aforesaid facts and circumstances and also the fact the petitioner has no criminal antecedent, I am inclined to grant the privilege of anticipatory bail to the



petitioner no.2. Let the petitioner no.2, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Gurua P.S. Case No. 228 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

9. Accordingly, the application stands partly allowed.

(Soni Shrivastava, J)

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