

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16001 of 2025

Arising Out of PS. Case No.-397 Year-2024 Thana- SHERGHATI District- Gaya

1.

Sanjay Kumar S/O Shankar Yadav R/O Ramchak Phulwaria, P.S.-
Dumariyan, Dist.- Gaya.
2.

Laukesh Kumar @ Sonu S/O Dhananjay Prasad R/O Ghaghar, P.S.-
Sherghati, Dist.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinkar Kumar, Adv.
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners apprehend their arrest in connection with Sherghati P.S. Case No. 397 of 2024 registered for the offences punishable under Sections 318(4), 338, 336(3), 340(2) and 3(5) of the BNS and Sections 15(2) and 15(3) of the Medical Council Act, 1956.

3. The allegation against the petitioners is of running a Diagnostic Ultrasound Centre and Patholab without having valid papers and degree.

4. Learned counsel for the petitioners contended that the FIR came to be instituted on misconceived notion. During



the pendency of the application, which was duly submitted for registration of the Laboratory/Diagnostic Center on 31.03.2024 itself. While the application for registration of Diagnostic Center was pending consideration, in the meanwhile, on 06.08.2024, a raid was conducted by the Deputy Superintendent of Sub Divisional Hospital, Sherghati, and by the time, the petitioners would be able to produce the application for registration, he directed for institution of the FIR. Even if the allegation levelled in the FIR is taken to be true, for the sake of argument, no offence much less under the provisions of BNS is made out. Moreover, the petitioners bear fare antecedent and they undertake that they will fully cooperate in the investigation and the proceedings of the Court. In case, if need arises, the petitioners will submit necessary paper(s) to assist the investigating officer.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the petitioners were found indulge in running unauthorized diagnostic centers.

6. Regard being had to the submissions made on behalf of the parties and considering the submissions advanced by the learned counsel for the petitioners that the application for registration for diagnostic center was pending consideration, the



date on which raid was conducted, coupled with the fact that the petitioners bear fare antecedent and their undertaking, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned ACJM 1st, Sherghati in connection with Sherghati P.S. Case No. 397 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioners.

(Harish Kumar, J)

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