

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33436 of 2025

Arising Out of PS. Case No.-146 Year-2025 Thana- AMARPUR District- Banka

Niraj Kumar Singh @ Shri Niraj Kumar S/O Late Satyendra Prasad Singh
Resident of Village- Rotakhem, P.S- Saur Bazar, Distt.- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Praveen Kumar, Advocate

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Amarpur P.S. Case No. 146 of 2025 registered for the offences punishable under Sections 25, 26, 319(2), 318(4), 338, 340(2) of the Bhartiya Nyay Sanhita, 2023 (in short the ‘B.N.S.’) and section 23(1) of the Pre-Conception and Pre-Natal Diagnostic Techniques Act, 1994 (hereinafter referred to as “PC & PNDT Act”).

3. The allegation against the petitioner is to run the Ultrasound clinic by violating the provisions as contained under PC & PNDT Act, 1994.

4. Learned counsel appearing on behalf of the



petitioner submitted that allegation is apparently false, as informant being the Civil Surgeon-cum-Chief Medical Officer, himself issued certificate of registration of the Ultrasound clinic in question, which was valid up to 24th March, 2026. It is submitted that there is no private complain *qua* any pre-natal sex determination in the aforesaid clinic of the petitioner. It is pointed out that petitioner is a man of clean antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. In view of the aforesaid factual submissions and by taking note of the fact as there is no private complaint which *prima-facie* suggests that petitioner was found involved in pre-natal sex determination, where registration of the clinic of the petitioner was valid up to 24th March, 2026, accordingly, above-named petitioner, in the event of his arrest/surrender within a period of four weeks from this order, is directed to be enlarged on bail on furnishing of bail bond of Rs.10,000/- (ten thousand only) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-V, Banka, in connection with Amarpur P.S. Case No.



146 of 2025, subject to the conditions as laid down under
Section 438(2) of the Cr.P.C/Section 482(2) of the Bhartiya
Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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