

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60100 of 2025

Arising Out of PS. Case No.-197 Year-2025 Thana- TURKAULIYA District- East
Champaran

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Abhay Kumar @ Dr. Abhay Kumar S/o Motilal Das R/o village- Harpur Ray,
Ward No. 7, P.S.- Harsidhi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhannjay Kumar Ii
For the Opposite Party/s : Mr.Mithlesh Kumar Khare

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 15-09-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 319(2),
318(4), 338, 336(3) and 340(2) of the BNS, 2023.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Civil Surgeon, East Champaran requested the SHO,
Turkauliya P.S. vide his letter dated 17.04.2025 to forthwith take
action against the petitioner who was practising as a doctor
fraudulently.
4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the



informant. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the same is cryptic and does not disclose on what basis the Civil Surgeon directed the SHO to institute an FIR against the petitioner. It is further submitted that the FIR does not even disclose the address of the clinic of the petitioner where he is practising as a doctor. It is also submitted that during the course of investigation also, no patient came forward alleging that he or she was treated by the petitioner nor any clinic was seized. It is next submitted that it appears that someone inimical to the petitioner, filed a frivolous complaint before the Civil Surgeon and the Civil Surgeon in haste got the FIR instituted. It is next submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

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

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount



each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Turkauliya P.S. Case No. 197 of 2025 subject to the conditions as laid down under Section 482 (2) of BNSS.

7. However, it is made clear that in the event if the Investigating Officer of the case files an application before the learned Trial Court bringing to its notice that petitioner despite giving assurance to this Court is not co-operating in the investigation, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

8. Let a copy of this order be sent to the concerned police station through the learned Trial Court.

9. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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