

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62359 of 2025

Arising Out of PS. Case No.-150 Year-2025 Thana- TURKAULIYA District- East
Champaran

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Md. Kalam @ Dr. Kalam @ Dr. Md. Kalam S/o Shaikh Hasim @ Hasim @
Shaikh Hashim Resident of Village-Madhampur Shaikh Toli, P.S.- Turkauliya,
District-East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Karandeep Kumar

For the Opposite Party/s : Mr.Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 15-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in connection with Turkauliya P.S. Case No. 150 of 2025 registered for the offences punishable under Sections 319(2), 318(4), 338, 336(3) and 304(2) of B.N.S.

3. As per prosecution case, petitioner is alleged to be Director of Mannat Child Care, Gandhi Ghat Turkauliya and he is involved in the medical activities without filling up the required forms and without proper permission. Directions have been issued to take necessary legal action against the petitioner.

4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence as alleged in the FIR and he has falsely been implicated in this case due to village



politics and previous enmity. Petitioner is a student of B.A.M.S course who is pursuing his course in Aligarh Unani Medical Collidge and A.C.N. Hospital, Anup Sahar Road, Aligarh which is annexed as Annexure-P/2(series). Learned counsel further submits that allegation of running a private clinic in the name and style of Mannat Child Care in which the petitioner allegedly is doing medical practice activity without valid and proper certificate is completely false as the Mannat Child Care is not belonging to the petitioner and he does not do medical practice at present rather he is studying in Aligarh. There is no complaint in that regard against the petitioner and also there is no any casualty taken place by the hand of the petitioner in any manner rather the all allegations are based upon surmises and conjecture. Apart from that, petitioner bears no criminal antecedent. Learned counsel orally submits that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. The learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail of the petitioner and submits that petitioner's name finds place in the FIR and he cannot escape from the liability of the allegation made in the FIR.

6. Considering the facts and circumstances of the case, keeping in view clean antecedent of petitioner, argument advanced on behalf of both sides and also taking into consideration the material available on record, 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 bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M, East Champaran at Motihari in connection with Turkauliya P.S. Case No. 150 of 2025, subject to the conditions as laid down under Section 482(2) of B.N.S.S.

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 the 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.

(Alok Kumar Pandey, J)

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