

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Writ Jurisdiction Case No.2595 of 2024

Arising Out of PS. Case No.-501 Year-2024 Thana- SURSAND District- Sitamarhi

Anwar Ahmad Quadri S/O Abdul Samad R/O Village- Farua Bhawani Police Station Bajpatti, Distt.- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. The Director General of Police, Bihar. Bihar.
3. The Additional Chief Secretary, Health Department, Government of Bihar, Patna. Bihar
4. The Superintendent of Police, Sitamarhi. Bihar
5. The Civil Surgeon cum Chief Medical Officer, Sitamarhi. Bihar.
6. The Sub Divisonal Police Officer, Sitamarhi. Bihar
7. The Circle Officer, Sursand, Sitamarhi. Bihar
8. The Medical Officer, Community Health Centre (CHC), Bairganias, Sitamarhi. Bihar
9. The SHO Police Station Bairganias, Sitamarhi. Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Rajnish Shandilya
For the Respondent/s	:	Mr. K.P. Gupta, G.P.10
		Mr. Satyavrat, AC to GP 10

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 05-05-2025 Heard the parties.

2. By way of this writ application, the petitioner has
prayed for the following reliefs:-

- (i) To quash the FIR of Sursand Police Station Case No. 501/2024 registered under section 316(2), 318(4), 271, 272, 125, 61(2), 3(5) of the BNS Act 2023 & Section 30(3), 30(2) of the Clinical Establishment Act 2013 & Section 3B of the Pre-Conception & Pre-Natal Diagnostic Techniques Act 1994, registered against the petitioner & Ors.
- (ii) To direct the respondents, especially,



the Civil Surgeon cum Chief Medical Officer Sitamarhi, to unseal the hospital i.e. KGN Hospital Sursand which is duly registered under the Bihar Clinical Establishment Act, 2013.

(iii) To pass necessary orders against the SHO of Sursand Police Station who arrested the petitioner from the hospital and arbitrarily and illegally detained him under police custody for 28 hours in the Sursand police station, flouting the direction of the Hon'ble apex court passed initially in Arnesh Kumar case and Satendra Kumar Antil case.

3. For the reliefs sought above, the petitioner is given liberty to move with a representation before the Civil Surgeon-cum-Chief Medical Officer, Sitamarhi who will act in accordance with law on the representation of the petitioner and pass appropriate orders.

4. It is made clear that this Court has not expressed any opinion on the merits of the case and the direction for consideration of the representation of the petitioner does not mean a direction for desealing the premises in question.

5. With the aforesaid observation, this application is disposed of.

(Sandeep Kumar, J)

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