

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34552 of 2026

Arising Out of PS. Case No.-126 Year-2026 Thana- DAUDNAGAR District- Aurangabad

Rahul Kumar S/o Sri Binod Singh R/o Village- Chauram, P.S- Daudnagar,
Dist- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Adv. Mr. Purushottam Kumar, Adv.
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-05-2026 Heard Mr. Ajay Kumar Thakur, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Daudnagar P.S. Case No. 126 of 2026 for the offence registered under sections 318(2), 319(2), 271, 272 of the BNS and Section 4, 18, 23 of the Pre-Conception and Natal Diagnostic Techniques Act.

3. As per the prosecution story, the Medical Officer, Primary Health Centre, Daudnagar in line with the Statewide inspection of all the Nursing Homes/Ultrasound Centre/ Pathological Centres, went to inspect the Alok Ultrasound when it is alleged that the proprietor shut it down. Anyhow, it was opened and this petitioner as also some ladies were present inside it. The printer was on, documents were printed, no Doctor was available though it was informed that it is being run by Dr. A.K. Nanda, a radiologist. An



affidavit was shown by Dr. Nanda to show he is serving there. However, since it was not having any registration nor the Doctor was present but the ultrasound was being done illegally, the FIR.

4. Learned Counsel for the petitioner submits that even going by the FIR, while Alok Kumar has been found to be its proprietor, Dr. A.K. Nanda was running the show. This petitioner was present at the wrong place having no role to play in the matter. Further, he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he was an active member in the said Primary Health Centre.

6. Considering the submissions of the parties as also the fact that main role has been assigned to Dr. A.K. Nanda and Alok Kumar, this petitioner has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Sub Divisional Judicial Magistrate, Daudnagar, Aurangabad in connection with Daudnagar P.S. Case No. 126 of 2026 subject to condition as laid down under Section 438(2) of the Cr.P.C.



(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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