

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55588 of 2025

Arising Out of PS. Case No.-199 Year-2025 Thana- SURSAND District- Sitamarhi

Rakesh Kumar S/o Rambabu Sah R/o village - Nawahi, P. S - Sursand,
District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Devendra Kumar, Adv.

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Sursand P.S. Case No. 199 of 2025 dated 08.05.2025 registered for the offences punishable under Sections 316(2), 318(4), 271, 272, 125, 61(2) and 3(5) of the B.N.S. and Sections 30(3)(2) of the Clinical Establishment Act.

3. As per the F.I.R., the allegation against the petitioner is that he was running Ultrasound Diagnostic Centre in the name of Shubh Laxmi Ultrasound which was initially sealed by the Inquiry Committee however, the same was being again run by the petitioner without any license.

4. The learned counsel for the petitioner submits that petitioner has falsely been implicated in this case and no illegal activity was found to have been committed at the Ultrasound



Centre. It has further been submitted that it was on account of the demand being made by the Inspector, which the petitioner could not fulfill, the present false and concocted case has been lodged against the petitioner. It has further been submitted that the petitioner has not been running the Centre and only because he had not agreed to the illegal demands of the Inspector that he has falsely been implicated. It has lastly been submitted that the petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for anticipatory bail of the petitioner.

6. Considering the aforesaid submissions made by the parties and taking into account the facts and circumstances of the case, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, on furnishing bail-bond of Rs. 10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Sursand P.S. Case No. 199 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following



conditions:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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