
(2020) 08 JH CK 0295
In the Jharkhand High Court
Case No : A.B.A. No. 2237 of 2020

Khajija Tahera

APPELLANT

Vs

State of Jharkhand

RESPONDENT

Date of Decision : 28-08-2020

Acts Referred:

Indian Penal Code, 1860 — Section 269, 270, 336, 337, 338, 417, 419
Medical Practitioner Act, 2007 — Section 2(3), 41(1)b
Indian Medical Council Act, 1956 — Section 13(3), 25
Clinical Establishment (Registration & Regulation) Act, 2010 — Section 41
Drugs Cosmetics Act, 1940 — Section 27
Code Of Criminal Procedure, 1973 — Section 438(2)

Citation : (2020) 08 JH CK 0295

Hon'ble Judges : Rongon Mukhopadhyay, J

Bench : Single Bench

Advocate : Zaid Ahmed, Vishwanath Roy

Final Decision : Allowed

Judgement

Heard learned counsel for the petitioner and learned counsel appearing for the State.

The petitioner apprehends her arrest in connection with Nagar Untari P.S. Case No. 08 of 2020, registered for the offence punishable under sections 417, 419, 269, 270, 336, 337, 338 of the Indian Penal Code; sections 41 (1)b, 2(3) of Medical Practitioner Act 2007; sections 13(3), 25 of Indian Medical Council Act, 1956; section 41 of Clinical Establishment (Registration & Regulation) Act, 2010; sections 4(i) of Indian Medical Drugs Act and 27 of the Drugs Cosmetics Act, 1940.

It has been alleged that Firoz Ansari, who is a quack, was undertaking operations upon patients. The allegation against the petitioner appears to be assisting Firoz Ansari. It further appears that most of the sections are bailable in nature.

Regard being had to the above, I am inclined to extend the privilege of

anticipatory bail to the petitioner. Accordingly, the petitioner, above named, is directed to surrender in the court below within a period of four weeks from today and pray for regular bail, and in that event, she will be enlarged on bail, on furnishing bail bond of Rs. 10,000/- (Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate- 1st Class, Garhwa in connection with Nagar Untari P.S. Case No. 08 of 2020, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

This application stands allowed.