

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL
APPLICATION U/S 438 CR.P.C. No. - 2296 of 2023

Applicant :- Dr. Mohammad Mueen Khan

Opposite Party :- State Of U.P. Thru. Prin. Secy. Deptt. Home
Civil Sectr. Lko. And Another

Counsel for Applicant :- Firoz Ahmad Khan

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Firoz Ahmad Khan, the learned counsel for the applicant as well as Sri Rishikesh Verma, the learned Additional Government Advocate appearing on behalf of the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in F.I.R. bearing Case Crime No.373 of 2021, under Sections 342, 354, 506 I.P.C., registered at Police Station Vibhutikhand, District Lucknow.
3. The aforesaid case has been registered on the basis of an F.I.R. lodged on 27.07.2021, alleging that the informant is doing internship in MBBS from a medical institute and the applicant passes comments against her with evil intentions and harassed her through whatsapp calls and massages. She alleged that the applicant molested her in a closed room of the hospital.
4. In the affidavit filed in support of the anticipatory bail-application it has been contended that the applicant is a doctor and is innocent, he has no criminal history and he has falsely been implicated in the present case.
5. The learned A.G.A. has opposed the prayer for bail but he could not dispute the aforesaid aspects of the matter.
6. Having considered the aforesaid facts and circumstances of

the case and keeping in view the fact that the applicant is a doctor working in a government hospital and there appears to be no reasonable apprehension of his absconding from the process of law; that the offence carries a maximum punishment of imprisonment up to five years coupled with the fact that the applicant has no criminal history and without making any observations which may affect the outcome of the case, I am of the view that the aforesaid facts are sufficient for making out a case for granting anticipatory bail to the applicant.

7. In view of the above, the anticipatory bail application of the applicant is **allowed**. In the event of arrest/ appearance of **applicant-Dr. Mohammad Mueen Khan** before the learned Trial Court in the aforesaid case crime, he shall be released on anticipatory bail on his furnishing personal bond and two solvent sureties, each in the like amount, to the satisfaction of S.H.O./Court concerned on the following conditions and subject to any other conditions that may be fixed by the Trial Court:

(i). That the applicant shall appear before the trial court on each date fixed, unless personal presence is exempted;

(ii). That the applicant shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer or tamper with the evidence;

(iii). That the applicant shall not pressurize/ intimidate the prosecution witness.

(Subhash Vidyarthi, J.)

Order Date :- 18.10.2023
Ram.