

Court No. - 16

Case :- CRIMINAL MISC ANTICIPATORY BAIL APPLICATION U/S 438
CR.P.C. No. - 2826 of 2023

Applicant :- Kishori Lal

Opposite Party :- State Of U.P. Thru. Prin. Secy. Home Deptt. U.P. Lko.

Counsel for Applicant :- Anil Kumar Nishad

Counsel for Opposite Party :- G.A.

Hon'ble Subhash Vidyarthi,J.

1. Heard Sri Anil Kumar Nishad, the learned counsel for the applicant as well as Sri Abhishek Kumar Singh, the learned State Counsel appearing on behalf of the State and perused the records.
2. The instant application has been filed by the applicant seeking anticipatory bail in Case Crime No. 154 of 2019, under Sections 325, 326 IPC, Section 15(3) Indian Medical Council Act, 1956, Police Station Ekauna, District Srawasti.
3. The aforesaid case has been registered on the basis of an FIR lodged on 20.06.2019 alleging that the applicant is a doctor and he had administered some injection in the hand of the informant's nephew due to which his condition got worsen and ultimately his had had to be amputated.
4. In the affidavit filed in support of the application it has been stated that the applicant is 64 years innocent person having no criminal history and he has been falsely implicated in the present case.
5. Having considered the facts and circumstances of the case and keeping in view the fact that the applicant had treated the victim as a doctor whereas he is neither qualified nor is registered with Medical Council of India and he is not authorized to treat persons and administer injection to them and the aforesaid act of the applicant has resulted in a child loosing his hand, I am of the view that the applicant does not deserve to be granted discretion of this court by granting pre-arrest bail to him.
6. The anticipatory bail application is ***rejected*** accordingly.

Order Date :- 8.12.2023

Pradeep/-