

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2713 of 2016

Alok Kumar Agrawal S/o Shri Radheshyam Agrawal Aged About 45 Years
Posted As Assistant Engineer (U. Suspension) Office Of Chief Engineer,
Mahnadi Project, Water Resources Department, Raipur (Chhattisgarh) R/o
Opposite Tejaswani Girls Hostel, Parijat Ext, Nehru Nagar, Bilaspur,
Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station Officer, Economic Offences Wing,
Raipur, Chhattisgarh

---- Respondent

Shri Santosh Rungta, Senior Counsel along with Shri Vijay K. Deshmukh, counsel
for the applicant/s.
Shri R.K.Gupta, Dy.A.G. for the State.

S.B.- Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

28/06/2016

This repeat application for grant of bail has been moved by the applicant
only on medical grounds.

2. Learned senior counsel appearing for the applicant argued that despite
order passed by this Court earlier on 04/03/2016, the applicant is not being taken
for proper treatment to hospital and in this manner, condition of the applicant is
deteriorating. Learned senior counsel relies upon judgment of the Supreme
Court in the case of **Dipak Shubhashchandra Mehta v. Central Bureau of
Investigation and anr., 2012 (4) SCC 134** to submit that in such circumstances,
the applicant may be considered for grant of bail only on medical grounds.

3. On the other hand, learned State counsel opposes prayer for grant of bail
and submits that the applicant is not suffering from any deadly disease. He
submits that the kind of disability which the applicant is suffering, is not of such a
nature which would require any intensive medical treatment by hospitalization. It
is assured that earlier because of non-availability of guards, the applicant could

not be taken to carry out necessary investigation in view of various reports on record.

4. The application for grant of bail on medical grounds was rejected by this Court only on 04/03/2016. This application for grant of bail has been moved within a very short period on the ground that as per the direction of this Court, proper medical facility has not been provided to the applicant. At this stage, only on this ground, I am not inclined to release the applicant. However, investigation which are required like Nerve Conduction Test and any other investigation, shall be facilitated to the applicant by the jail authorities without fail and there shall not be any ground of non-availability of guards. Moreover, the applicant shall also be provided Physiotherapy, as and when necessary, as per medical advise.

5. With the aforesaid directions, this bail application is rejected.

Sd/-

(Manindra Mohan Shrivastava)
Judge

Deepti