

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5265 of 2016

- Neerendra Kumar S/o Gautam Prasad Aged About 29 Years R/o Village Patna, Police Station Patna, District Korea, Chhattisgarh.---
Petitioner

Versus

- State of Chhattisgarh through the Station House Officer, Police Of Police Station Khadgawa, District Korea, Chhattisgarh. ---
Respondent

For the applicant	:	Mr. Anil Gulati, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

07.09.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 32/2016 registered at P.S. Khadgawa, Distt. Korea (C.G) for the offence punishable under Section 420/34 of IPC.
2. As per the prosecution case, in between 09.02.2016 to 11.02.2016 the applicant along-with other accused at village Chirmi were administering Hepatitis-B vaccinations for which they charged Rs.50/- each per vaccine from the villagers without permission of the Health Department.
3. Learned counsel for the applicant would submit that the applicant is a daily wage employee of Research India and Research India is a Non-Governmental Organization which was administering Hepatitis-B injections and the vaccines were not fake and permission was obtained from the District Medical Officer, therefore, no offence is made out. He further

submits that charge sheet in this case has been filed and similarly placed accused Dinesh Kumar Yadav has been enlarged on bail by this Court in M.Cr.C.No.4498/2016 on 17.08.2016, therefore, the present applicant may also be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail. However, he do not dispute the fact that similarly placed person has been enlarged on bail by this Court.
5. Perused the case diary and other documents.
6. Considering the fact that similarly placed co-accused has been enlarged on bail by this Court as also the fact that the charge sheet has been filed, I am inclined to release this applicant also on bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. He shall also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**