

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**M.Cr.C.No.7904 of 2016**

Jaiprakash Sahu, son of Ramcharan Sahu, aged about 30 years, R/o Village Kohrapara, Ranai, Police Station Patna, Tahsil Baikunthpur, Distt. Korea (C.G). ... **Applicant**

**Vs.**

State of Chhattisgarh through Station House Officer, Police of Police Station Khadgawa, Distt. Korea (C.G) ... **Respondent**

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| For the applicant  | : | Mr. Anil Gulati, Advocate       |
| For the Respondent | : | Mr. Anant Bajpai, Panel Lawyer. |

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**Hon'ble Shri Justice Goutam Bhaduri**

**Order on Board**

**13.12.2016**

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 read with section 34 of IPC.
2. As per the prosecution case, in between 09.02.2016 and 11.02.2016 the applicant along-with other accused were administering Hepatitis vaccinations in village Chirmi 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 it 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

the charge sheet in this case has been filed and similarly placed accused Neerendra Kumar has been enlarged on bail by this Court in M.Cr.C.No.5265 of 2016 on 07.09.2016, 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 persons have been enlarged on bail by this Court.
5. Perused the case diary and other documents. Considering the fact that similarly placed accused has been enlarged on bail by this Court in M.Cr.C. No.5265 of 2016 as also the fact that the charge sheet has been filed and the applicant is in jail since 10/11.2016, I am inclined to release him on bail.
6. 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**