THE HIGH COURT OF MADHYA PRADESH

MCRC-14838-2020

(Raghvendra @ Rinku vs The State of Madhya Pradesh)

JABALPUR

DATED : 10.06.2020(through video conferencing)

Shri Sharad Verma, learned counsel for the applicant.

Shri Piyush Jain, learned Panel Lawyer for the respondent/State.

This is first application for grant of bail under Section 439 of Cr.P.C. on behalf of applicant **Raghvendra @ Rinku** who is in custody since 01.05.2020 in connection with Crime No.210/2020 registered at Police Station Gopalganj District Sagar (M.P.) for the offences punishable under Sections 452, 294, 186, 188, 269, 270 of IPC; Section 3/ 4 of M.P. Chikitsak Evam Chikitsak Sewa Se Sambandh Vyaktiyo Ki Suraksha Adhiniyam, 2008 and Section 51 of Disaster Management Act, 2005 and Section 3 of Mahamari Adhiniyam, 1897.

The allegation against the applicant is that he in the inebriated state entered into the hospital and misbehaved with the hospital staff.

Learned counsel for the applicant has submitted that the applicant happens to be a journalist and had gone there to take account of the hospital activities. It is further submitted that the applicant is not a habitual offender and he is in jail since 01.05.2020 and has already learnt a lesson. Thus, it is submitted that the applicant be released on bail.

Learned counsel for the respondent/State on the other hand has opposed the prayer and has submitted that the applicant has misbehaved with the hospital staff who was engaged in treating

the Covid patients and thus at this juncture no case for bail is made out.

Having considered rival submissions, taking note of the fact that applicant is in jail since 01.05.2020 and the nature of offence committed by him, the application is allowed.

It is directed that applicant- **Raghvendra @ Rinku** shall be released on bail upon his furnishing personal bond in the sum of **Rs.50,000/- (Rs. Fifty Thousand Only)** with separate surety in the like amount to the satisfaction of the concerned C.J.M/trial Court for his appearance before the trial Court on all such dates as may be fixed in this behalf by the trial Court during the pendency of trial.

It is further directed that if the applicant is again found involved while committing any other offence irrespective of its nature, this order shall stand cancelled without further reference to the Court and the police shall be at liberty to arrest the applicant in the present case as well.

The prison authorities are also requested to ensure compliance of the order passed by the Supreme Court in Writ Petition No. 1/2020 and ensure that the applicant is examined by the jail doctor before his release.

If the applicant shows symptoms of COVID-19, the doctor shall forthwith direct him to be produced before the appropriate hospital designated for the detection and treatment of COVID-19 patients. If the doctor is of the opinion that the applicant is not affected with the virus, the jail authorities shall ensure his transportation from the jail to his place of residence.

A typed copy of this order be forwarded to the Office of the Advocate General and to Shri Piyush Jain, learned Panel Lawyer, on their respective email address, for intimation to the Police

Station concerned. The office is requested to forward a copy of this order to the Learned Court below.

With the aforesaid, the present application filed under Section 439 of the Cr.P.C. stands **allowed** and **disposed of**.

Certified copy as per rules.

(Subodh Abhyankar)
Judge

DV

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DINESH VERMA
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