

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CRIMINAL APPELLATE JURISDICTION****BAIL APPLICATION NO. 2696 OF 2022**

Mahendra Kuldeep Singh ... Applicant/Accused

V/s.

The State of Maharashtra ... Respondent

WITH**BAIL APPLICATION NO. 2783 OF 2022**

Mahendra Kuldeep Singh ... Applicant/Accused

V/s.

The State of Maharashtra ... Respondent

WITH**BAIL APPLICATION NO. 3120 OF 2022**

Mahendra Kuldeep Singh ... Applicant/Accused

V/s.

The State of Maharashtra ... Respondent

WITH**BAIL APPLICATION NO. 3718 OF 2022**

Mahendra Kuldeep Singh ... Applicant/Accused

V/s.

The State of Maharashtra ... Respondent

WITH**BAIL APPLICATION NO. 3532 OF 2022**

Mahendra Pratap Kuldeep Singh ... Applicant/Accused

V/s.

The State of Maharashtra ... Respondent

Mr. Mukesh Kumar Mishra i/b Mr. Vivek Jaiswal, Adv. for the Applicant/Accused.

Mr. S. V. Gavand, APP for the Respondent/State.

Mr. Vijay Madaye, Borivali Police Station, Mumbai in C.R. Nos. 850/2021 & 855/2021.

CORAM : SMT. ANUJA PRABHUDESSAI, J.

DATED : MARCH 31, 2023

PC. :

1. The Applicant seeks bail in Crime Nos. 850 & 855 of 2021 registered with Borivali Police Station, Crime No. 591 of 2021 registered with Kandivali Police Station, Crime No. 312 of 2021 registered with Bhoiwada Police Station and Crime No. 474 of 2021 registered with Bangur Nagar Police Station for the offences under Section 308 and other provisions of Indian Penal Code, 1860.

2. The allegations against the Applicant are that he had organized Covid Vaccine Camps at several places in Mumbai at the instructions of Shivam Hospital and its doctors. It is the case of the prosecution that the vaccines administered to several persons, were not genuine. Hence, the crime came to be registered against the Applicant and others for the offences under Indian Penal Code, 1860 as well as under the provisions of Epidemic Diseases Act, Disaster Management Act, Information Technology Act and Drugs and Cosmetic Act.

3. The record reveals that the Applicant is in custody since 17/06/2021 in all these cases. The role attributed to the Applicant is

that he had organized the camps. He was not involved in procuring or in administering spurious drug or vaccination. The record further reveals that money has gone in the account of the co-accused Sanjay Gupta and not in the personal account of the Applicant herein. It is also stated that the account of accused Sanjay Gupta is frozen.

4. It is also seen that the investigation is complete and charge-sheet is filed. The Applicant has already been released on bail in Crime No. 185 of 2021 registered with Navpada Police Station, Crime No. 520 of 2021 registered with Khar Police Station for the same offences. Considering all the above facts and circumstances, in my considered view, this is a fit case to exercise discretion under Section 439 of the Code of Criminal Procedure, 1973 in favour of the Applicant. Hence, the applications are allowed on the following terms and conditions :-

- (i) The Applicant is ordered to be released on cash bail in the sum of Rs. 25,000/- (Rupees Twenty-five Thousand Only) in each crime for a period of four weeks;
- (ii) The Applicant shall within the said period of four weeks furnish PR. Bond in the sum of Rs. 25,000/- in each crime with one or two sureties in the like amount;

- (iii) The Applicant shall not contact and/or interfere with the victim/witnesses, in any manner;
 - (iv) The Applicant shall keep the Trial Court informed of his current address and mobile/contact number and/or change of residence or mobile details, if any, from time to time.
 - (v) The Applicant shall co-operate with the conduct of the trial and attend the Trial Court on all dates, unless exempted.
5. Bail Applications stand disposed of in the above terms.

(SMT. ANUJA PRABHUDESSAI, J.)