

# **Mahesh Prajapati vs The State Of Madhya Pradesh on 28 January, 2025**

NEUTRAL CITATION NO. 2025:MPHC-JBP:4328

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IN THE HIGH COURT OF MADHYA PRADESH  
AT JABALPUR  
BEFORE  
HON'BLE SHRI JUSTICE DEVNARAYAN MISHRA  
ON THE 28th OF JANUARY, 2025  
MISC. CRIMINAL CASE No. 2343 of 2025  
MAHESH PRAJAPATI  
Versus  
THE STATE OF MADHYA PRADESH  
Appearance:  
Shri Bhupendra Kumar Shukla - Advocate for the applicant-M  
Shri Narendra Lodhi - Panel Lawyer for the respondent-Stat

## ORDER

This is the first application filed by the applicant under Section 483 of Bhartiya Nagrik Suraksha Sanhita , 2023/Section 439 of Cr.P.C., 1973 for grant of regular bail relating to FIR/Crime No.405/2024 registered at Police Station-Ichhawar, District-Sehore (M.P.) for the offence punishable under Sections 304 of IPC and Section 24 of M.P. Ayurvigyan Parishad Adhiniyam, 1987.

2. Learned counsel for the applicant has submitted that the applicant has no intention and the case comes under the purview of Section 304A of IPC. The Police has registered the case under Section 304 of IPC. The charge sheet has been submitted and trial will take time to be concluded. Hence, the applicant be released on bail.

3. Learned counsel for the State has submitted that the applicant had given the injection to a boy without having requisite qualification. As a result, the deceased-Gopal died. After inquiry, the case was registered.

NEUTRAL CITATION NO. 2025:MPHC-JBP:4328 2 MCRC-2343-2025 Hence, there is no chance of false implication. If the applicant be released on bail, he will repeat the offence and without having qualification, he will start treating the patient. Hence, the bail application be dismissed.

4. Heard the parties and perused the case diary.

5. Looking to the aforesaid facts and circumstances of the case, this Court finds it to be a fit case to release the applicant on bail. Therefore, without commenting on the merit of the case, the

application is allowed.

6. It is directed that applicant-Mahesh Prajapati shall be released on bail on his furnishing personal bond in a sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one surety in the like amount to the satisfaction of the trial Court concerned for his appearance before the concerned Court on all such dates as may be fixed by that Court in this regard during the pendency of trial.

7. During trial, applicant shall not re-practise in any treatment system particularly allopathic, unani, homeopathic and ayurvedic for which he is not having requisite qualification and registration.

8. It is further directed that the applicant shall comply with the provisions of Section 480(3) of BNSS.

9. Accordingly, M.Cr.C. stands disposed of.

C.C. as per rules.

(DEVNARAYAN MISHRA) JUDGE HK