

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

M.Cr.C. No. 2804 of 2018

Kajol Khan @ Ayasha W/o Kamar Ali @ China, Aged About 27 Years R/o Masanganj,
Behind Subhash Mill, P. S. Civil Line, Bilaspur, Distt. Bilaspur, Chhattisgarh., District :
Bilaspur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Sarkanda, Bilaspur, Distt.
Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

--Respondent

28/06/2018	Shri Ajay Ayachi, Advocate for the applicant. Shri Vinod Tekam, P.L. for the State. This M.Cr.C. is filed by the applicant for grant of regular bail as she has been arrested on 20-12-2017 in connection with Crime No.666/2017 registered at P.S. Sarkanda, Bilaspur, Chhattisgarh for the offence under Section 302/ 34 of the Indian Penal Code. At the outset, learned counsel for the applicant prays that he is not going to press for regular bail and instead the application may be considered for grant of temporary bail for four weeks on humanitarian ground for the medical treatment of newly born child of the applicant. It is submitted that the applicant is in jail since 20.12.2017. On the date of arrest, the applicant had a child of one month with her. The child of the applicant had developed some skin disease. Although that is being treated at the instructions of the trial Court by the Jail Authorities but the disease has not been cured so far and she is under apprehension about the disease of her

child. Hence, it is prayed by counsel for the applicant that only for the sake of treatment of her child she may be granted temporary bail of four weeks.

On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect. It is submitted that on merits it is not a good case for grant of bail to the applicant.

Heard counsel for both the parties and perused the case diary.

The case of the applicant is that she alongwith co-accused has caused burn injury to deceased – Anjum Naj because of which, she died. Hence, this case.

As the application has not been pressed on merits, the same is considered only on the humanitarian ground because of the fact that the applicant is in custody alongwith newly born child and the child is suffering from skin disease. Certified copy of the documents produced by the applicant have also confirmed about the disease of the child of this applicant. Hence, I am of this view that for the aforesaid reasons, prayer for grant of temporary bail for 4 weeks to the applicant deserves to be allowed.

It is directed that the applicant shall be released on temporary bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court. She shall surrender before the concerned Court on **31st July, 2018**.

Accordingly, the main application is disposed of.

Certified copy of the order today.

Sd/-

(Rajendra Chandra Singh Samant)

Judge