

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

M.Cr.C. No. 3748 of 2018

1. Vimal Jain S/o Late Maniklal Jain Aged About 66 Years R/o- House No. 22b, South Avenue, Choubey Colony, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.
2. Vaibhav Jain S/o Vimal Jain Aged About 38 Years R/o- House No. 22b, South Avenue, Choubey Colony, Raipur, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh Through- Station House Officer, Police Station- Hirri, District- Bilaspur, Chhattisgarh., District : Bilaspur, Chhattisgarh.

--Respondent

17/05/2018	Smt. Fouzia Mirza, Advocate for the applicants. Shri Anupam Dubey, Dy. G.A. for the State. This M.Cr.C. is filed by the applicants for grant of regular bail as they have been arrested on 27-3-2018 in connection with Crime No.143/2017 registered at P.S. Hirri, District- Bilaspur, Chhattisgarh for the offence under Sections 420/ 34 and 120B of the Indian Penal Code. Heard on I.A. No. 1 of 2018, an application for grant of ad-interim bail to the applicants. It is submitted by counsel for the applicants that the wife of applicant No.1 and mother of applicant No.2, namely, Mrs. Vimla Jain is critically ill and she has been advised for heart surgery because of which, it is prayed that the applicants be granted temporary bail to take care and do the needful for the concerned.

Learned counsel for the State/respondent opposes the application and the arguments submitted in this respect.

Considered the submissions made by counsel for the applicants. The application is supported with an affidavit and copy of advice given by the treating physician is also attached with the application.

After due consideration, it appears that only on humanitarian ground this application should be allowed. Hence, for these reasons, the application is allowed.

Consequently, I.A. No. 1 of 2018 is allowed.

It is directed that the applicants shall be released on temporary bail on each of them 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, till the date fixed for their surrender before the concerned Court. The applicants shall surrender before the concerned Court on **4th June, 2018**.

At this stage, learned counsel for the applicants seeks permission to withdraw the second application for grant of bail to the applicants (M.Cr.C. No.3748 of 2018) with liberty to file an application for grant of bail before the concerned Court after the charge-sheet is filed.

Accordingly, this M.Cr.C. is disposed off.

Sd/-

(Rajendra Chandra Singh Samant)
Judge