

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 4899 of 2018

Vishal Agrawal, S/o. Ashok Agrawal, Aged About 31 Years, Permanent R/o. Ward No. 16, Mangal Bhawan Complex, Near Ashutosh Textile, Main Road, Raurkela, Police Station Uditnagar, District Sundergarh, Odisha. Presently R/o At House No. 98, Krishna Nagar Colony, Tilda, P. S. Nevra, District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : The Station House Officer, P. S. Nevra, District Raipur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Raghavendra Pradhan, Advocate
For Respondent	:	Mrs. Smita Ghai, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/08/2018

1. This is the second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.236/2017, registered at Police Station- Nevra, District – Raipur (C.G.) for the offence punishable under Section 498(A), 304-B of the Indian Penal Code and Section 4 of Dowry Prohibition Act. The first bail application of the applicant was dismissed on merits vide order dated 16.05.2018 in M.Cr.C. No.2479/2018.
2. Learned counsel for the applicant submits that the applicant is suffering from serious ailments for which he is being continuously treated in jail, but he needs better treatment. Hence, it is prayed that the applicant may be enlarged on regular bail.

3. On the other hand, the learned counsel appearing for the State opposes the bail application and the submission made in this respect. It is submitted that the applicant was denied bail on merits. Further he is being provided treatment in jail by the jail authority, hence, he is not entitled for grant of bail.
4. I have heard the learned counsel for the parties and perused the documents placed on record.
5. Perused the report received from the jail authority, which confirmed about the ailment of the applicant for which, he has provided treatment and his treatment is still continued. Hence, after due consideration and looking to the health conditions of the applicant, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on bail for a limited period of three months for obtaining proper treatment regarding his ailments.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail for a limited period of three months from the date he is released on bail, on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge