

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2641 of 2019

- 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 Residing At House No. 98, Krishna Nagar Colony, Tilda, P.S. Nevra, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh, through Station House Office, Police Station Nevra, District- Raipur, Chhattisgarh., District : Raipur, Chhattisgarh

----Non-applicant

For Applicant – Shri Raghavendra Pradhan, Advocate.

For Non-applicant/State – Shri I. Lakra, Deputy Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

13-05-2019

1. Heard on the application filed under Section 439 of the Cr.P.C. This is third bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 23-06-2017 in connection with Crime No.236/2017 registered at P.S. - Nevra, District- Raipur, Chhattisgarh for the offence under Section 498-A & 304-B of the IPC and Section 4 of Dowry Prohibition Act.

2. It is submitted on behalf of the applicant that the applicant is suffering from serious disease, because of which he is required to visit the hospital from jail again and again. Lastly the applicant had been advised to undergo surgery for Multiple Lipoma over Chest wall & abdomen. The applicant is willing to abide by all the conditions imposed upon him by this Court in case bail is granted. Hence, it is prayed that for the purpose of getting appropriate treatment in higher medical center, the applicant may be granted regular bail.

3. Learned counsel for the State/non-applicant opposes the application. However, he admits that a report has been received from the Jail

Superintendent, in which it is informed that the applicant is suffering from Multiple Lipoma over Chest wall & Abdomen and which needs to be treated and operated.

4. As the application for regular bail earlier filed by this applicant has been dismissed on merits, however, considering the necessity of proper treatment to the applicant, I feel inclined to allow this application on temporary basis.

7. Consequently, the application filed under Section 439 of the Cr.P.C. is allowed on temporary basis. It is directed that the applicant shall be released on bail for a period of three months on his 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, for his appearance as and when directed. The applicant shall surrender before the concerned Court on 13-08-2019.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge