

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No.7448 of 2020

Roshan Khan S/o Bafatu Khan Aged About 34 Years R/o Bhatapara Naila
Ward No. 1, Chowki Naila, Police Station Janjgir, District Janjgir-Champa,
Chhattisgarh
----- **Applicant**

Versus

State Of Chhattisgarh Through Station House Officer-Janjgir, District Janjgir-
Champa, Chhattisgarh
----- **Respondent**

For Applicant	:	Shri Rahil Arun Kochar, Advocate
For Respondent/State	:	Shri Lalit Jangde, Dy. G.A.

S.B. Hon'ble Shri Justice Manindra Mohan Shrivastava

Order On Board

18/02/2021

Heard.

1. The applicant has been arrested in connection with Crime No.747/2018 (wrongly typed as 747/2020) registered at Police Station- Janjgir, District Janjgir-Champa (CG) for the alleged commission of offence under Section 186, 353, 333, 326 of IPC.
2. Presently the applicant is on temporary bail and admitted in the hospital.
3. The applicant has been arrested on the allegation that the applicant locked himself in the bathroom and when police was called, he attacked police personnel with the help of knife.
4. Learned counsel for the applicant would submit that the applicant is suffering from mental illness and whatever criminal overt act is alleged to have been committed by him, was in a state of unsound mind and no criminality is involved. It is next submitted that the applicant was earlier arrested on 07.10.2020 and this Court taking into consideration the mental illness had also directed for admission and report. Learned counsel for the applicant submits that report has been sent to this Court which discloses that the applicant is suffering from mental disorder and needs treatment. Therefore, on this ground, the applicant may be granted bail.

5. On the other hand, learned counsel for the State opposes the bail application and submits that pursuant to the order of this Court medical report after keeping the applicant admitted in the mental hospital has been received from concerned doctor and directed to produce a copy of the medical report to the office of Advocate General.
6. Medical report has been forwarded to this Court from the concerned mental hospital and perusal of the same show that the applicant is suffering from bipolar affective disorder currently mania with psychotic symptoms. He needs long term regular treatment.
7. Considering the aforesaid medical ground and the nature of allegation against the applicant, it will be proper to release the applicant on bail, therefore, the applicant is directed to be released on bail on furnishing a personal bond by any elder member of the family of the applicant in the sum of Rs.25,000/- with two sureties of the like amount to the satisfaction of the trial Court. The applicant is stated to be admitted in the mental hospital as the applicant needs treatment, his admission in the mental hospital shall continue until the doctor advises for his discharge depending upon his medical condition. The application is accordingly allowed.

Certified copy as per rules.

Sd/-
(Manindra Mohan Shrivastava)
Judge