

HIGH COURT OF CHHATTISGARH AT BILASPUR**MCRC No. 9386 of 2020**

Nilesh Thakur, S/o Bharat Singh Thakur, Aged about 25 years, R/o Dhamini Kuka, Police Station Ranapur, Distt. Jhabua, M.P.

---Applicant (in jail)

Versus

State Of Chhattisgarh Through Station House Officer, Police Station- Katghora, Distt. Korba, Chhattisgarh.

--- Non-applicant/State

For Applicant :- Mr. S.R.J. Jaiswal, Advocate
For State :- Mr. Sunil Otwani, Addl. A.G.

Hon'ble Shri Justice Sanjay K. Agrawal

Order on Board

05/03/2021

1. The applicant herein, who has been arrested in connection with Crime No. 280/2014, registered at Police Station - Katghora, District Korba(CG), for offence punishable under Sections 395, 397, 450 and 394 of IPC, on the ground that his wife namely Smt. Lalina Thakur who is aged about 36 years is suffering from Appendicitis and she needs surgical intervention, therefore, he may be granted temporary bail for a period of one month.

2. Mr. S.R.J. Jaiswal, learned counsel for the applicant, would submit that applicant's wife has to undergo surgery, as such, he may be released on temporary bail.
3. Mr. Sunil Otwani, learned Additional Advocate General, would submit that Civil Surgeon, District Hospital, Jhabua (M.P.) has certified that applicant's wife is suffering from Appendicitis and surgery is the only option left for her now and it has to be done at the earliest. The said certificate of the Civil Surgeon has already been filed as Annexure A/2.
4. I have heard learned counsel for the parties, considered their submissions and perused the records.
5. Considering the medical certificate issued by the Civil Surgeon, District Hospital, Jhabua (M.P.) stating that applicant's wife is suffering from Appendicitis for which she has to undergo surgical intervention, it would be appropriate to grant temporary bail to the applicant.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on temporary bail 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 trial Court, for a period of three weeks (21 days) and he shall surrender before the trial Court on or before 01/04/2021.

8. Certified copy, as per rules.

Sd/-
(Sanjay K. Agrawal)
Judge

Harneet