

**IN THE COURT OF ADDL.DISTRICT & SESSIONS JUDGE-I
AIZAWL JUDICIAL DISTRICT, AIZAWL**

**Bail Application No.609/2015
A/o Saitual P.S Case No.12/2015 U/S 302 IPC**

State of Mizoram	:	Complainant
	Vrs	
Lalruatmawia & 2 ors	:	Petitioner

BEFORE

Vanlalmawia
Addl.District & Sessions Judge-I

PRESENT

For the opposite party	:	Lalremruata APP Lily Parmawii Hmar, APP
For the Petitioner	:	W.Sam Joseph & Ors
Date of Hearing	:	17.6.2015
Date of order	:	17.6.2015

ORDER

Today is fixed for bail hearing, heard both side fully.

The Id. counsel for the petitioner's inter alia submitted that the petitioner's do not have any involvement in the offence charge and there is no evidence for believing that the petitioner had committed such offence. The Id. counsel stated that the deceased went to the house of the Lalrinsangi while going out the deceased patted the buttock of Lalrinsangi with a flat side of a dao. When Lalrinsangi turn to look at him at that time he try to cut the neck of Lalrinsangi, as she ducked the victim cut her shoulder. People were around the place gathered and try to stop him and he run with the dao and he attacked the person who try to capture him. More people gathered and took the dao from his hand and stated beating him. The petitioner's came to the incident and stop the

people from beating the victim. They have taken him to the Saitual Hospital and the victim died in the morning.

On the above mentioned facts and circumstances, the Id. counsel submitted that the petitioners have no involvement to the death of the victim and prays the court to release the petitioners on bail.

On the other hand, the Id. Addl.P.P strongly objected bail and submitted :-

- a) That the charge section is 302 IPC which is a very serious case and non-bailable.
- b) That the accused do not satisfy any of the provisions u/s 437 Cr.P.C so as to get bail.
- c) That there is a question of tampering with the evidence if released on bail at this early stage pending investigation.
- d) That a prima facie case is found well established against the accused persons.
- e) That there is a possibility that since the accused persons are YMA leaders, they can hamper the investigation if released on bail. They are in the position to even harass the witnesses.

Hence prayed the court to reject bail.

The Id counsel W.Sam Joseph further submitted that the Police also stated accused are not danger to escape, and no previous criminal case pending.

I, also heard the three accused persons, and they informed the court that they were simply arrested for being public leader of Zawngin, like YMA and advisory Board.

Upon hearing of both parties I have no reasonable ground to reject the bail petition.

So, accused 1) Lalruatmawia Rodailova and Templemawia are granted bail with bond of Rs.30,000/- each with reliable sureties preferable Government Servant not below the rank of LDC working in Aizawl Town under the Government of Mizoram duly certified by controlling officer, with the following condition :-

1. Accuseds shall attend court regularly.

2. They shall not leave Mizoram without prior permission of the court.
3. They shall not involve in any cognizable offence during the bail period.
4. They shall not act any they which can hamper investigation and trial.
5. They shall not abate/instigate any person to hamper investigation, and trial.

Failure to comply shall entailed cancellation of bail without prior notice of the bailor.

The bail petition is disposed.

Give copy of this order to all concern.

Sd/- VANLALMAWIA
Addl.District & Sessions Judge-I
Aizawl Judicial District,Aizawl

Memo No _____/ADJ-I(A)/2015 : Dated Aizawl the, 17th June 2015

Copy to :-

1. District & Sessions Judge.
2. Accused Lalruatmawia & 2 ors C/o W.Sam Joseph Advocate.
3. APP, Addl. PP
4. I/C GR Branch with case record of Saitual P.S Case No.12/2015.
5. Judicial Section
6. Case record.
7. Guard

PESHKAR