

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

I/A(CrI) No.82.2016

U/S 395/412/120B/506 IPC IPC

Kulikawn P.S Case No.53/2016

Bulaki Chan Baid	:	Petitioner
	Vrs	
State of Mizoram	:	Opposite party

BEFORE

Vanlalmawia
Addl.District & Sessions Judge-I

PRESENT

For the petitioner	:	Francis Vanlalzuala, Advocate.
For the opposite party	:	Lalremruata Addl.PP
Date of hearing/order	:	14.6.2016

ORDER

Counsels for the petitioner and Addl. P.P is present. Today is fixed for hearing or application of the petitioner to allow the court to leave Mizoram to enable him to avail Medical checkup outside the State of Mizoram.

The Id. counsel for the petitioner along with the co-accused were granted regular bail on 9.6.2016 by this Hon'ble court by imposing among other conditions the petitioner shall not leave Mizoram without obtaining prior permission of court. The Id. counsel stated that the petitioner is in need of Medical checkup due to his illness as he is suffering from Diabetes-II and Hypertension. He has been adduced to undergo Renal and Cardiac function test which cannot be done in Aizawl.

The Id. counsel submitted that if the petitioner is allowed to avail further medical check-up outside Mizoram there is no danger of absconding as a petitioner is a permanent resident of Aizawl since the last 40 years.

Further the surety of the petitioner as per the direction of the court is gazetted officer who is posted at Aizawl with a bond of Rs.1 lakh. Besides the above mention grounds the Id. counsel stated that the petitioner has no involvement in the instant case at all to avoid the court, trial and conviction.

On the above mention grounds the Id. counsel prays the court to allow the petitioner to avail Medical check-up outside Mizoram for a period of 50 days.

On the other hand, the Addl. P.P strongly objected the prayer of the petitioner as :

- 1) That the petitioner fails to show a medical certificate referring the petitioner to hospital outside Mizoram.
- 2) That the petitioner not being a permanent resident of Aizawl is likely to abscond if he is allowed to leave Mizoram.
- 3) That if he is out of station there is no chance for him to co-operate the investigating agency in the instant case.

Hence, prayed the court to dismiss the instant petition.

Upon hearing of both parties and on perusal of the case record, the accused/petitioner has to report to the court on 10.8.2016, in his bail condition, and he is bound not to leave Mizoram without prior permission of the court, and hence this petition accordingly. In view of the fixed next date of reporting i.e (10.8.2016) to the court, the petitioner have a spare time to have medical check-up the court have nothing to do to the petitioner within this spare period. Accused/petitioner Bulaki Chand Baid is therefore allowed to go outside Mizoram for medical check-up as prayed by the petitioner, with the following condition.

1. Accused/petitioner shall report himself before the court on 10.8.2016 without fail.
2. If the petitioner fails to report on the fixed date he may be treated as absconder, and warrant may be issued, by cancelling the bail.
3. He shall not repeat the same alleged offence during his tour outside Mizoram.

4. Bail may be cancelled if the petitioner failed to comply all the bail condition during his tour, and if he committed any other cognizable offence.

The petition is disposed.

Give copy of this order to all concerned.

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

Memo No _____ /ADJ-I(A)/2016 : Dated Aizawl the, 14th June 2016.

Copy to :-

1. District & Sessions Judge.
2. Accused Bulaki Chand Baid C/o Francis Vanlalzuala Advocate.
3. Deputy Superintendent of Police(Prosecution)
4. I/C GR Branch.
5. Addl. PP
6. Judicial Section.
7. Case record.
8. Guard file.

PESHKAR