

IN THE COURT OF ADDL.DISTRICT & SESSION JUDGE, AIZAWL
Bail Appln. No. 462/2014
(Arising out of G.R. No. 2825/2012 u/s 307/325 IPC)

Lalhmunsiamama : Applicant

Versus

State of Mizoram : Opposite party

Date of Order : 24.04.2014

BEFORE

Smt. Helen Dawngliani, Addl. District & Session Judge

APPEARANCE

For the Accused/Applicant : H. Lalrinthanga, Advocate

For the State : Mrs. Rose Mary, Addl. PP

ORDER

This Bail Application has been filed from Jail by the accused Lalhmunsiamama.

Heard the Id. Counsels.

Mr. H. Lalrinthanga, Id. Counsel for the Accused/Applicant submitted that the accused is having severe health problem and for which he has been admitted in Civil Hospital, Aizawl and even after his discharged, he has not been able to fully recover. The Id. Counsel relying on the Medical Certificate dt.23.4.2014 issued by the M & HO, Central Jail, Aizawl submitted that the accused is suffering Hepatitis C, Induced Chronic Liver Disease with Liver Cirrhosis with history of Gastrointestinal Bleeding. The said Medical Officer has recommended that the accused should take proper rest at home since in the Central Jail, there is no adequate facilities for prompt and effective management of his condition.

On the other hand, the Id. Addl. PP submitted that considering the history of the accused who committed another crime while on bail, it is not safe to release him on bail. The Id. Addl. PP in her usual fairness submitted that she has nothing to say on the Medical Certificate issued by the Jail Doctor.

Upon hearing the Id. Counsels and upon perusal of the materials more particularly the Medical Certificate dt.23.4.14 and Discharged Card of Civil Hospital, Aizawl, I am convinced thatr reasonable ground has been made out to release the accused on bail purely on medical ground.

Accordingly, accused Lalhmunsiamama is released on bail with a bond of Rs. 10,000/- with 1(one) reliable surety of the same amount. The Surety must be either permanent

resident of Aizawl or Thenzawl possessing a Electoral Photo Identity Card. The Surety must also submit the EPIC Card and produce the original along with recent passport size photograph.

The Bail conditions are: -

1. He shall attend court regularly in terms of the bond executed by him.
2. He shall not commit any offence or an offence similar to the offence of which he is accused of.
3. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the fact of the case so as to dissuade them from disclosing such facts to the court or tamper with evidence.
4. He shall not leave the State of Mizoram without prior permission of the Court.

The accused shall attend Court on 30.4.2014.

With the above Order, the case stands disposed off.

Sd/- HELEN DAWNGLIANI

Addl.District & Session Judge
Aizawl Judicial District, Aizawl

Memo No..... AD & SJ (A)/2014 : Dated Aizawl, the 24th April, 2014

Copy to :-

1. Accused Lalhmunsiamama through Counsel Mr. H. Lalrinthanga, Advocate.
2. Special Superintendent, Central Jail, Aizawl.
3. Registration Section.
4. Guard File.
5. Case Record.

P E S H K A R