

**IN THE COURT OF ADDL. DISTRICT & SESSION JUDGE-III  
AIZAWL JUDICIAL DISTRICT, AIZAWL**

**Bail Appln. No. 367/13**  
(Arising out of Crl. Tr. Ex. No. 625/12 u/s 307/377 IPC)

B. Lalrinmawia : Applicant

Versus

State of Mizoram : Opposite party

Date of Order : 07.02.2014

**BEFORE**

*Smt. Helen Dawngliani, Addl. District & Session Judge-III*

**APPEARANCE**

For the Accused : Mr. J.N. Bualteng, Advocate

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

**ORDER**

This Bail Application has been filed by the accused from Jail with a prayer for grant of bail on medical ground.

Heard the Id. Counsels.

The Id. Counsel for the accused submitted that the accused is nearly 70 years and having several ailments and considering the stage of trial, he may be released on bail since there is no danger of the accused tampering with evidence or influencing witnesses.

On the other hand, Mrs. Rose Mary, the Id. Addl. PP objected the prayer by submitting that the accused is facing trial for a heinous crime. After the incident, the accused and his family shifted to Aizawl and it is learned that once the accused is released on bail, there is every likelihood of them going back to Myanmar where the accused and his wife originally belong. The Id. Counsel also submitted that the entire village of North Vanlaiphai is still under fear of the accused due to the present incident and that his release from custody would disturb the peace within the village. Accordingly, the Id. Counsel prays to reject the Bail Application.

As the ground for seeking bail is medical ground, it was found proper to know the exact status of the accused. Accordingly, he was referred to the Medical Board at Civil Hospital, Aizawl for examination. The Board of Examination, Aizawl District, Aizawl examined the accused on 22.1.14 and their report which is submitted to this Court shows that the accused is suffering from urinary track infection (UTI) with low back pain. The Board further found that the disease from which the accused is suffering is not serious and that he does not need to be hospitalised.

Considering the seriousness of the offence and the danger of the accused absconding to his native place i.e. Myanmar and also keeping in mind the stage of trial, it is found that no sufficient ground has been made out to release the accused on bail at this stage.

Accordingly, Bail Application is rejected.

**Sd/- HELEN DAWNGLIANI**

Addl. District & Session Judge-III  
Aizawl Judicial District, Aizawl

Memo No..... AD & SJ (A)/2013 : Dated Aizawl, the 7<sup>th</sup> February, 2014  
Copy to :-

1. Accused B. Lalrinmawia through Special Superintendent, Central Jail, Aizawl.
2. Special Superintendent, Central Jail, Aizawl.
3. Registration Section.
4. Guard File.
5. Case Record.

**P E S H K A R**