

**HIGH COURT OF CHHATTISGARH, BILASPUR**

**MCRC No. 6182 of 2016**

Smt. Gauri Bai, W/o. Late Sarju Jaiswal, Aged About 55 Years, R/o. Madmada, P.S. Pandatarai, District Kabirdham, Chhattisgarh.

**---- Applicant**

**Versus**

State Of Chhattisgarh, Through: Station House Officer, Pandatarai, District Kabirdham, Chhattisgarh.

**---- Respondent**

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For Applicant : Mr. Ajay Ayachi, Advocate

For Respondent : Mr. Anupam Dubey, Dy. Govt. Advocate  
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**Hon'ble Shri Justice Goutam Bhaduri**

**Order On Board**

**06.10.2016**

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.56/2016 registered at Police Station- Pandatarai, District Kabirdham (C.G.) for the offence punishable under Section 450, 376(1), 313, 506, 201/34 of Indian Penal Code.
2. As per the prosecution case, a report was made by one Rajni Bai, who is a widow, that in the year 2015 in the month of October, one Maniram forcefully committed rape, thereafter, sexually exploited her for quite a long period of time whereby she became pregnant and on 17.06.2016 Maniram called her to his house and when she went there, two other ladies were there and without her will forcefully inserted some medicines into her private part and abortion was caused. It is the case of prosecution that the present applicant who is alleged to be Accoucheuse (Midwife) caused such abortion.

3. Learned counsel for the applicant would submit that the applicant went to the house of Maniram as she was called by Maniram to see the lady and she was discharging the job of Accoucheuse (Midwife) and therefore no offence of forceful abortion was caused, therefore, she may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the statement of the victim. Considering the nature of allegation against the present applicant, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-  
**(Goutam Bhaduri)**  
Judge