

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 515 of 2017

Sudershan Yadav S/o Jhagru Yadav Aged About 27 Years Caste-
Mahkul, R/o Village- Kaliya, Police Station- Bagicha, District-
Jashpur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police
Station- Bagicha, District- Jashpur, Chhattisgarh.

---- Respondent

For applicant - Shri J.K. Saxena, Advocate.
For Respondent/State –Shri Vivek Singhal, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

6/02/2017

1. The applicant has preferred this application for grant of bail as he is arrested in connection with Crime No.182/2016 registered in Police Station Bagicha, District Jashpur (C.G.) for offence punishable under sections 498-A, 316 of Indian Penal Code.
2. As per the prosecution case, a report was made by victim Kunti Yadav that the applicant in the year 2011 allured her on the pretext of marriage and committed sexual intercourse and thereafter they started living together as husband and wife. Subsequently, in 2015 when she became pregnant she was administered certain medicine whereby it caused abortion. It is alleged that the applicant demanded money and gold and silver. Thereby, offence is committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the case, he was not responsible to cause any abortion, she herself has taken the medicine and only omnibus allegations have been made, therefore the applicant may be released on bail.
4. Learned State counsel opposes the prayer for grant of bail.

5. Perused the statement of the victim Kunti Yadav. Considering the facts and circumstances of the case, nature of evidence available against the applicant and also for the fact that charge sheet has been filed, this court is inclined to release the applicant on bail.

6. Accordingly, the bail application is allowed and it is directed that the applicant shall be released on his furnishing personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of concerned trial court for his regular appearance before it as and when directed.

Sd/-

(Goutam Bhaduri)

JUDGE