

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 703 of 2018**

1. Vijay Sahu S/o Late Narhari Sahu Aged About 32 Years
2. Smt. Lalita Sahu (Wrongly Mention Lalit Sahu In The Order Sheet) W/o Late Narhari Sahu Aged About 62 Years
3. Ku. Hemlata Sahu D/o Late Narhari Sahu Aged About 27 Years

All R/o Aamaguda, Jagdalpur, District Bastar, Chhattisgarh

----Applicants

Versus

- State of Chhattisgarh Through Thana Kotwali Jagdalpur, District Bastar, Chhattisgarh

---- Respondent

For Applicants	:	Shri Alok Dewangan, Advocate
For Respondent-State	:	Shri S.K. Mishra, PL for the State

Hon'ble Shri Justice Goutam Bhaduri**Order On Board****27/03/2018**

1. This is the First Bail Application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested on 07.12.2017 in connection with Crime No.259/2017 registered at Police Station Thana Kotwali, Jagdalpur, District Bastar (CG) for the offence punishable under Sections 294, 506, 323, 498 (A) & 316 of the I.P.C.
2. As per the prosecution case, on 29.06.2017 a report was made by Smt. Jaswanti and the offence was registered under Sections 294, 506 & 323 of the I.P.C. Subsequently, after recording statement of the victim the offence under Sections 498-A and 316 IPC was added and the applicants were

arrested.

3. Learned counsel for the applicants submits that initially no report of abortion was made but subsequently the addition was made. He would further submit that there is no nexus of abortion with the present applicants, therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case-diary documents and the medical report. Considering the same, the nature of allegations and also that the charge-sheet in this case has been filed, I am inclined to release the applicants on bail.
6. Accordingly, the application is allowed and the applicants are directed to be released on bail on each of them executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court.

Sd/-

Goutam Bhaduri

Judge

Ashu