

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4154 of 2018**

1. Rakesh Kumar Khunte son of P.R. Khunte, aged about 31 years, Caste – Satnami, resident of Pendra, at present resident of village Singhra, Police Station Malkharoda, District Janjgir Champa, CG

---- Applicant**Versus**

1. State of Chhattisgarh through Station House Officer, Police Station Pendra, District Bilaspur, CG

---- Respondent

For Applicant	-	Shri Yogendra Chaturvedi, Advocate
For State	-	Shri Rahul Tamaskar, PL

Order on Board by Hon'ble Shri Justice Pritinker Diwaker**02/07/2018**

This application under Section 439 of the Code of Criminal Procedure has been filed by the applicant who is in custody in connection with Crime No. 56/2018 registered at Police Station Pendra, District Bilaspur for commission of the offences punishable under Sections 294, 506 and 313 IPC.

2. Case of the prosecution in short is that complainant Jyoti alias Gumsum was living as wife of the applicant and that when she became pregnant, the applicant gave her some pills for abortion.

3. Counsel for the applicant submits that as per the medical report of the complainant the doctor has not given any opinion regarding abortion of the complainant. He submits that as the complainant has not been accepted by the parents of the applicant, she was annoyed and lodged a false report against him. He further submits that there is no evidence that the applicant purchased any medicine for giving to the complainant for abortion or it is he who administered the same to her for the said purpose. He submits that the applicant is still ready to live with the complainant. According to him, looking

to the false allegations made against the applicant and the fact that he is in jail since 14.5.2018, he may be released on bail.

3. State counsel however opposes the application for bail.

4. Considering the facts and circumstances of the case, material collected by the prosecution including the medical report of the complainant and that he is in jail since 14.5.2018, this Court is of the opinion that it is a fit case to release him on bail. Accordingly, the application is allowed and the applicant is directed to be released on bail on his furnishing a bond in the sum of Rs. 50,000/- with one surety for the like sum to the satisfaction of the concerned Court for his appearance before that Court as and when directed.

Sd/-

(Pritinker Diwaker)

Judge