

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2014 of 2019**

- Smt. Kanak Kumari Tandon W/o Shri Babu Lal Tandon, Aged About 42 Years R/o Village - Kawatal, Police Station Sarangarh, District Raigarh, Civil And Revenue District Raigarh Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station - Sarangarh, District Raigarh Chhattisgarh

---- Respondent

For applicant	Mr. M.K. Sinha, Adv.
For Respondent/State	Mrs. M. Asha, PL.

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

30-4-2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and his no bail application is pending before any other court.
2. The applicant has been arrested in connection with Crime No. 258/2018 registered in police station Sarangarh, Distt. Raigarh (CG) for offence punishable under Section 315/34 of the IPC.
3. Perused the case diary.
4. Prosecution story in brief is that deceased was pregnant due to cohabitation with Babulal. On 28-2-2018 co-accused Babulal and applicant had taken the deceased to village Chhind where applicant and co-accused Babulal got injected her by some nurse, consequently she delivered a pre-term IUD.
5. Counsel for the applicant argued that the applicant is innocent and falsely implicated. He further argued that in the case in hand, section 315, IPC does not attract against the applicant, she only accompanied her husband. Hence she may be released on bail.
6. On the other hand, the State Counsel opposed the bail application.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the alleged offence and also the impact of granting bail on the society, this Court is not inclined to grant bail to the applicant.
8. Consequently, the MCRC is dismissed.

Sd/-
(Sharad Kumar Gupta)
Judge