

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2457 of 2019**

Smt. Kalyani Dey W/o Shri Anjan Dey, aged about 55 years, Occupation A.N.M Sub Health Center, Kurra, Tahsil Dharsiwa, P.S. Dharsiwa, Raipur, District Raipur (C.G.)

--- Applicant**Versus**

State of Chhattisgarh, Through Station House Officer, P.S. Police Dharsiwa, District Raipur (C.G.).

---- Respondent

For Applicant	:	Mr. Manoj Pranjpe, Advocate
For Respondent	:	Mr. Amit Singh, PL

Hon'ble Shri Justice Arvind Singh Chandel

Order on Board**13/05/2019**

1. The Applicant has preferred this First bail application under Section 439 of the Cr.P.C for grant of regular bail as he is arrested in connection with Crime No. 511/2018 registered at Police Station Dharsiwa (C.G.) for the offence punishable under Section 376 of the IPC, Section 6 of the POCSO Act and Section 5 of the Medical Termination of Pregnancy Act, 1971.
2. In this case, the age of the Prosecutrix was about 17 years 2 months at the relevant time. It is alleged that co-accused Ramkumar Thakur used to call the Prosecutrix for house hold work. Ramkumar Thakur, by threatening the Prosecutrix, had committed sexual intercourse with her and also made video of the said act. He used to commit sexual intercourse with her for about 4-5 months and when the Prosecutrix became pregnant, it is alleged that Ramkumar had taken her to the present Applicant for abortion. The Applicant by administering the injection and tablets committed abortion of

the Prosecutrix. On this set of evidence, offence has been registered and the Applicant has been taken into custody on 30/03/2019.

3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated. He further submits that the Applicant is in custody since 30/03/2019, she is a lady and trial will take time, therefore, the Applicant may be released on bail.
4. Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned counsel for the parties.
6. Considering the entire facts and circumstances of the case, particularly that the Applicant is in custody since 30/03/2019 and trial will likely to take time, I am inclined to release the Applicant on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one surety for the like amount to the satisfaction of the trial Court. Thereafter, he will appear before the Trial Court on each and every date given by the said Court.

Sd/-
(Arvind Singh Chandel)
Judge