

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3158 of 2019**

Bijan Kumar Mandal S/o Bimal Mandal, aged about 50 years R/o Village Korar
District North Bastar, Kanker (C.G.)

--- Applicant

Versus

State of Chhattisgarh, Through Police Station Jharaghati, District Narayanpur
(C.G.)

---- Respondent

For Applicant	:	Mr. Praveen Kumar Tulsiyan, 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. 01/2019 registered at Police Station Jharaghati, District Narayanpur (C.G.) for the offence punishable under Sections 493, 376, 312, 313 and 201 of the IPC, Sections 4, 6 & 21 of the POCSO and Section 5 (2) (3) & (4) of the Garbh Chikitsa Samapan Adhiniyam, 1971.
2. In this case, the age of the Prosecutrix was 13 years at the relevant time. It is alleged that co-accused Ramsingh, on the pretext of marriage, committed sexual intercourse with the Prosecutrix, as a result of which, the Prosecutrix became pregnant. The allegation against the preset Applicant is that he gave some medicine to the Prosecutrix due to which the Prosecutrix got miscarriage. The matter has been reported by the Complainant. Offence has been registered and the Applicant has been

taken into custody on 06/04/2019.

3. Learned counsel for the Applicant submits that the Applicant is innocent and has been falsely implicated. He further submits that there is no evidence on record on the basis of which any offence can be made out against the Applicant. He prays that the Applicant is in custody since 06/04/2019 and trial will take time, therefore, he 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 06/04/2019 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