

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3865 of 2019**

Smt. Shanu Mashih W/o Shri Sudesh Mashih Aged About
42 Years R/o Vijeta Complex, Rajendra Nagar, Raipur,
District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through The Station House Officer,
Police Station City Kotwali, Raipur, District Raipur
Chhattisgarh.

---- Respondent

For the Applicant	:	Shri Mahesh Kumar Gole, Advocate
For the State	:	Shri Vikram Dixit, Govt. Adv.

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**22/07/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was rejected by this Court on 23/01/2019 in MCRC No. 10051/2018 considering the *prima facie* case against her.
2. Perused the case diary provided by the learned counsel for the State in connection with the Crime No.326/2018 registered at Police Station City Kotwali Raipur, District Raipur (C.G.) for the offence punishable under Sections 420, 467, 468, 471 of IPC and Section 15, 3 Medical Council Act.
3. Case of the prosecution, in brief is that in complaint Dr. Purnendu Saxena is a doctor and his registration No. is CG/MC/1030/2007. Applicant is running a village hospital at Pujari Chowk, Raipur. On the board of said hospital Registration No. 1030 was mentioned. As per the letter of the Registrar, Chhattisgarh Medical Council, Raipur applicant is not registered

in Chhattisgarh Medical Council. Her degree is not recognized by Union of India, she cannot do medical practice in Chhattisgarh.

4. Counsel for the applicant submitted that complainant is not traceable, since nine months no prosecution witness has been examined, thus applicant may be released on bail.
5. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
6. There is no change of circumstances which may entitle applicant to release on bail in second round of litigation, consequently, second bail application is rejected. However, the trial Court is directed to expedite trial and dispose of the case as soon as possible.

Sd/-
(Sharad Kumar Gupta)
Judge