

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5452 of 2019

- Ram Singh Shringar S/o Late Hriday Ram Shringar Aged About 50 Years, R/o Kotba, Police Station -Bagbahar, District - Jashpur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh, Through Station House Officer, Police Station- Patthalgaon, District- Jashpur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Anil Gulati, Advocate.
For Respondent/State	: Smt. Reena Singh, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

16/10/2019

1. The applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as he is arrested in connection with crime No. 141/2019, registered at Police Station – Patthalgaon, District- Jashpur, (C.G.) for the offences punishable under Sections 376, 313, 315 and 318 of IPC and Section 4, 6 of Protection of Children from Sexual Offences Act, 2012 and Section 3(2)(v)(A) of Scheduled Tribe (Prevention of Atrocities) Act, 1989.
2. As per the prosecution story, at the relevant time, the prosecutrix was aged about 15 years old. On 12.07.2019, the prosecutrix lodged a report alleging therein that initially on 18.11.2017 co-accused Omprakash Yadav, on the pretext of marriage, committed sexual intercourse with her and further continued doing so as a result of which the prosecutrix became pregnant. It is further alleged that on 18.06.2019, co-accused Omprakash Yadav taken the prosecutrix to the present applicant's clinic and the present applicant is alleged to have administered some injection in the private part of the prosecutrix

and also gave some medicine, due to which, she delivered a premature child who died. On the basis of this report offense has been registered against the present applicant.

3. Learned counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further submits that there is nothing incriminating on record on the basis of which any offence can be made against the present applicant. The applicant is a doctor and he is in custody since 13.07.2019, charge-sheet has been filed and there is no likelihood of his case being decided in near future. Therefore, he may be released on bail.
4. Per contra, learned counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence adduced by the prosecution and further considering the fact that the present applicant is in custody since 13.07.2019 and the trial is likely to take some time, without further commenting on merits of the case, I am inclined to release him on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the applicant shall be released on bail on his executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for his appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge