

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6190 of 2019**

1. Satyanarayan Binjhar S/o Amir Sai Binjhar Aged About 37 Years, R/o Lainpara Bagbuda, Police Station Lemru, Tahsil And District Korba, Chhattisgarh.
2. Mantora Bai Binjhar @ Pantori W/o Gambhir Sai Binjhar Aged About 49 Years, R/o Lainpara Bagbuda, Police Station Lemru, Tahsil And District Korba, Chhattisgarh.

---- Applicants**Versus**

- State Of Chhattisgarh, Through : Station House Officer, Police Station Lemru, District Korba, Chhattisgarh.

---- Respondent

For Applicants	: Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	: Mr. Wasim Miyan, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22.11.2019**

1. The accused/applicants have moved this first bail application under Section 439 of Criminal Procedure Code for releasing them on regular bail during trial in connection with Crime No. 14/2019 registered at Police Station Lemru, District-Korba (C.G.) for the offence punishable under Section 313, 34 of the IPC.
2. The prosecution story, in brief is that, the complainant lodged a complaint that the applicants done abortion of the prosecutrix with the help of Biphaiya Bai for which applicants paid Rs. 12,000/-, to Biphaiya Bai. Based on this offence has been registered against the present applicants.
3. Learned counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. He further submits that the main allegation is against the Sampat Binjhar and the present applicants are relative of the main

accused. The applicants are in jail since 02.07.2019, there is no likelihood of their case being decided in near future, therefore, the present applicants may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of applicants and further considering the facts that the main allegation is against the Sampat Binjhvar and the present applicants are relative of the main accused. The present applicants are in jail since 02.07.2019 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.
7. Accused/applicants are directed to be released on bail on their executing a personal bond in the sum of Rs. 25,000/- each, with one local surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given to them by the said Court.

**Sd/-
(Rajani Dubey)
Judge**