

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 10051 of 2018

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

---- Applicant

Versus

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

---- Non-applicant

For Applicants	: Shri Jitendra Shrivastava, Advocate.
For Non-applicant	: Ms. Sangeeta Mishra, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

23.01.2019

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with 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 the Indian Penal Code and Sections 15, 3 of the 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. Learned counsel for the applicant argued that the applicant has no criminal background, she is innocent, therefore, she shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application and submitted that one another criminal case is registered against the applicant.
6. Counsel for the applicant further submitted that applicant had not used the Registration number of another doctor. Some other person prepared the forged banner because she was in jail in another case.
7. Looking to the facts and circumstances of the case, looking to the seriousness of the offence, looking to the impact of granting bail to the applicant on society, the present bail application is rejected.
8. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE