

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3207 of 2020**

- Smt. Pramila Agrawal, W/o Shri Ashok Agrawal, Aged about 51 years, R/o Station para, Rajnandgaon, District Rajnandgaon (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through – Station House Officer, PS-Kotwali, District Rajnandgaon (C.G.)

---- Respondent

For Applicant : Mr. Pragalbha Sharma, Advocate.
 For Respondent/State : Mr. Ayaz Naved, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21.07.2020**

- Heard.
- Admit.
- The accused/applicant has moved her first bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 727/2019 registered at Police Station– Kotwali, District Rajnandgaon (C.G.) for the offence punishable under Sections 315, 317, 318 & 201/34 of Indian Penal Code.
- According to the prosecution story, an information was received by one Sarita Yadav that a body of new born baby is found on Rajput Gali, Stationpara, District Rajnandgaon. After that, police of PS- Kotwali went there and further investigation was carried out. Later, it was found the new born baby was given birth by one minor girl who got pregnant by the co-accused person Sanjay Kashyap, further it was found that all the accused person in furtherance of common intention, acted to prevent child being born alive.
- Learned counsel for the applicant submits that the applicant has falsely been implicated in the aforesaid case. He further submits that the prosecution has miserably failed to establish that there

has been any instigation by any person much less the present applicant for commission of the crime in question. He next contended that the present applicant is a 51 years old lady and the main allegation is against the other co-accused person. The applicant is in jail since 10.01.2020, therefore, she may be granted bail.

- On the other hand, counsel for the State opposes the bail application.
- I have heard learned Counsel for the parties.
- Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, detention period of the applicant, as trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
- Accordingly, the bail application is allowed.
- It is directed that the applicant shall be released on bail on executing a personal bond for a sum of Rs. 25,000/- with one local surety for the like amount to the satisfaction of the trial Court for her appearance before the said Court as and when directed.

Sd/-
(Rajani Dubey)
Judge

Vasant