

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6900 of 2015

Smt. Kesari Gupta @ Puja, aged about 19 years, wife of Jitendra Gupta, presently resident of Gopiyapara, Patelpara, House of Shankar Yadav, Purani Basti, Raipur (C.G), permanent resident of Vill. Simra, P.S. Jaisingh Nagar, Distt. Sahdol (M.P). ... **Applicant**

Vs.

State of Chhattisgarh, through Station House Officer, P.S. Tikrapara, Civil and Revenue Distt. Raipur (C.G). ... **Respondent**

For the applicant	:	Mr. Devershi Thakur, Advocate.
For the Respondent	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

15.12.2015

1. This is an application filed u/s 439 of the Code of Criminal Procedure seeking granting of regular bail to the applicant in connection with Crime No. 508 of 2015 registered at Police station Tikrapara, Distt. Raipur (CG) for the offences punishable under sections 363, 365, 368 & 120B of IPC.
2. As per the prosecution case, the daughter of complainant Narmada Sahu aged about 1 ½ years was abducted by one Swati Pandey and thereafter the child was left in the house of applicant Kesri Gupta and subsequently the girl was recovered from the possession of the applicant.
3. Learned counsel for the applicant submits that on the assurance of Swati Pandey that the mother of the girl is sick, the child was kept with the applicant and on bonafide belief, the applicant kept the child and had there been any intention to abduct the child, she would ran away and the child was recovered from the house, therefore, considering the role played by this applicant, she may be enlarged on bail.
4. Per contra learned State Counsel opposes the bail application.

5. Perused the case diary wherein the primary allegations are on Swati Pandey that she abducted the female child on the 15.10.2015.
6. Taking into the evidence available in the case diary and looking to the gravity of offence and degree of charges against the applicant as also the fact that she is in jail since 16.10.2015, I am inclined to release her on bail.
7. Accordingly, this bail petition is allowed and the applicant is directed to be released on bail on her furnishing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. She will appear before the trial Court as and when directed by the said Court.
8. Cc as per rules.

Sd/-
GOUTAM BHADURI
JUDGE