

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 7495 of 2015**

Omvati, aged about 35 years, wife of Narayan Kanjar, resident of Devendranagar, Police Station and Tahsil Devendranagar, Civil and Revenue District Panna (M.P.)

---- Applicant**Versus**

State of Chhattisgarh through the Station House Officer, Police Station Janakpur, District Koriya (Chhattisgarh).

---- Respondent

For Applicant	:	Shri Yogendra Chaturvedi, Advocate
For Respondent/State	:	Shri Ashok Swarnkar, Panel Lawyer

Hon'ble Shri Justice P. Sam Koshy**Order On Board****18/12/2015**

This is the third bail application filed u/s 439 of Cr.P.C. for grant of bail to the applicant who was arrested on 01.04.2014 in connection with Crime No. 41 of 2014 registered at PS Janakpur, District Koriya for the offence punishable under Sections 363, 368, 376(2)(g), 342, 373, 34 IPC and Sections 4 & 6 of Protection of Children from Sexual Offences Act, 2012.

2. The first bail application of the applicant was dismissed as withdrawn by this Court vide order dated 14.08.2014 and the second bail application was again dismissed on 30.01.2015. It is to be noted that while dismissing the first bail application on 14.08.2014 the applicant was granted liberty to revive the same after the victim is examined.

3. Counsel for the applicant submits that he has enclosed the deposition of the victim Ku. Kiran Singh wherein the victim has not made any allegation against the applicant and the entire allegation is against another accused Lalita. Therefore, counsel for the applicant prays for grant of bail to the applicant.

4. State counsel also going through the record admits the fact that the victim has not made any allegation against the present applicant.

5. Considering the total facts and circumstances of the case and taking note of the fact that the applicant is in jail since 01.04.2014, this

Court is of the opinion that it is a fit case where the present applicant can be released on bail.

6. Accordingly, the application for grant of bail is allowed. It is directed that if the applicant furnishes a personal bond for a sum of Rs.25,000/- with one surety of the like amount to the satisfaction of the concerned trial Court, she shall be released on bail. The applicant is directed to appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

**Sd/-
(P. Sam Koshy)
JUDGE**

Bhola