

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5554 of 2015

Ku. Bebi @ Pinki Sahu, D/o. Ram Pyare Sahu, Aged About 22 Years, R/o. Village Dalha Podi, Police Station - Akaltara, District Janjgir - Champa Chhattisgarh, Present Address Saragbundiya, Thana Urga, District Korba, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through - Police Station – Lemru Korba, Katghora, District Korba, Chhattisgarh

---- Respondent

For Applicant : Mr. Vikash Pandey, Advocate

For Respondent : Mr. Vivek Singhal, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

17/11/2015

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.02/2015 registered at Police Station- Lemru, District Korba (C.G.) for the offence punishable under Sections 363, 366(A), 370, 370(A), 373, 376 read with 34 of the Indian Penal Code and 4, 6 of the Protection of Children from Sexual Offences Act and 3(2), 5 of SC & ST Act.
2. Case of the prosecution, in brief, is that the victim who was minor was kidnapped and was kept in captivity and subsequently she was subjected to forceful sexual intercourse in lieu of the amount and the allegations against this applicant is that she received the amount and allowed the victim/ minor girl to be ravished.
3. Learned counsel for the applicant submits that the only allegation against this applicant is that she allowed the victim to be stayed in

her house and nothing has been done by her. He further submits that the applicant being a handicapped, she may be enlarged on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. After going through the statement of the victim wherein she has categorically stated the fact that the present applicant forced her to have sexual intercourse in lieu of money with an outsider and received the amount, I am not inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge