

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5712 of 2015

Smt. Suman Panikar, W/o. Ram Bhakta Baghel, Aged about 45 years,
R/o. Village Amagohan, Police Station Kota, District Bilaspur,
Chhattisgarh.

---- Applicant

Versus

State of Chhattisgarh, Through: Station House Officer, Police Station
Kota, District Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sushil Dubey, Advocate

For Respondent : Mr. Neeraj Jain, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

27/10/2015

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. 196/13 registered at Police Station- Kota, District Bilaspur (C.G.) for the offence punishable under Section 363, 366-A, 370, 370-A, 376, 34 of IPC read with Section 4 & 5 of the Protection of Children from Sexual Offences Act, 2012.
2. Case of the prosecution is that the complaint was made on 20.07.2013 by Patiram that his daughter Rewati Bai went to Itwari Yadav's house for watching T.V., thereafter, she did not come back. Subsequently, on the investigation, the victim was found at Satya Gali, Meerganj, Allahabad near Ghadi Chowk. After investigation, the case was registered against this applicant alongwith the other co-accused.

3. Learned counsel for the applicant submits that the only role played by this applicant is that she accompanied with the victim to the Station when she came to her on 20.07.2013 and actually the allegations are against Rajni, her mother-in-law and her husband that the victim was forced into prostitution. He further submits that the charge sheet has been filed and considering the role played by this applicant, 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 appearing for the parties and perused the case diary.
6. Having regard to the fact and the role played by this applicant and the fact that the main allegations are attributed to Rajni Bai, her husband Subhash Samant and mother-in-law Prabha Bai and further taking into fact that the charge sheet has been filed on 09.10.2015 and the applicant is in jail since 12.07.2015, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the concerned trial Court. She is directed to appear before the trial court on each and every date given by the said Court.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge