

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5728 of 2015

Pragati Tiwari @ Khushboo D/o Raju Tiwari Aged About 18 Years
R/o Jabdapara, Sarkanda, Police Station - Sarkanda, District
Bilaspur Chhattisgarh

----Applicant

Versus

State Of Chhattisgarh Through The Station House Officer Police
Station - Civil Line, Bilaspur District Bilaspur Chhattisgarh

For applicant – Shri Goutam Khetrapal, Advocate.
For Respondent/State- Shri Anant Bajpai, PL.

Hon'ble Shri Justice Goutam Bhaduri

Order

28/10/2015

1. The applicant has preferred this application for grant of bail as she is arrested in connection with Crime No. 601/2015 registered in Police Station Civil Line, Bilaspur, District Bilaspur C.G. for offence punishable under section 363, 365, 34 of IPC.
2. As per the prosecution story, at the instance of the applicant, applicant along with Anisha Masih and Nishangi Tandon they went to Raipur and thereafter they stayed in a Guest House wherein Anisha Masih and Nishangi Tandon were made to stay in a room and the applicant Pragati Tiwari @ Khushboo stayed in a separate room. Thereafter, they were given cold drink with intoxicant by the applicant and when they lost their conscious and thereafter three to four boys committed sexual intercourse with them. Thereafter, the applicant fled away from the hotel.

3. Learned counsel for the applicant submits that all the girls are students and they all went to Raipur to roam around and they were apprehended. Subsequently, when they were recovered, case has been lodged against this applicant only and she has not played any role and she is innocent.

4. Learned State counsel opposes the prayer for grant of bail.

5. 5728Case diary contains statement of the victim under Section 164 of Cr.P.C. Reading same it cannot be stated that applicant only went as a friend as specific allegations have been made on her that she administered cold drink along with intoxicant and they were intoxicated. Matter is under investigation. Therefore, considering statement under Section 164 of Cr.P.C., this court is not inclined to release the applicant on bail at this stage.

6. Accordingly, the bail application is dismissed.

Sd/-

(Goutam Bhaduri)

JUDGE