

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No.2729 of 2016

Smt. Radha Patel, aged about 25 years W/o Ramakant Patel, R/o village Jayant, Thana and Tehsil Jasant, Distt. Singroli (MP).

APPLICANT

Versus

State of Chhattisgarh through Police Station Chirmiri, Distt. Koriya (CG).

RESPONDENT

For Applicant	: Shri Parag Kotecha, Advocate.
For Respondent/State	: Shri Adhiraj Surana, Deputy Govt. Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

09.06.2016

1. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with crime No.35/2016 registered at Police Station Chirmiri, Distt. Koriya, for the offence punishable under Sections 363,366,376 and 368 of IPC and also under Sections 4 and 6(2)(2-5) of Prevention of Children from Sexual Offences Act, 2012.
2. Case of the prosecution, in brief, is that the present applicant, who is the Aunt of the co-accused Arpit Patel, has given shelter to the co-accused Arpit Patel after he had eloped with the prosecutrix.
3. Learned counsel for the applicant submits that the applicant is in detention since 11.04.2016 along with her two minor children. He further submits that there is no allegation against the applicant except for providing shelter to the co-accused Arpit Patel on 20-21.01.2016 when he had come along with the

prosecutrix, and therefore, the applicant may be released on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard the counsel appearing for the parties.
6. Without commenting on merits, considering the totality of the facts and circumstances of the case more particularly the only allegation against the applicant is for providing shelter to the co-accused, and also considering the fact that the applicant is in detention since 11.04.2016 along with her two minor children, this Court is of the opinion that present is the fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that the applicant shall be released on bail on furnishing a personal bond in the sum of Rs.20,000/- with one surety in the like sum to the satisfaction of the concerned Court for his appearance as and when directed.
9. Certified copy as per rules.

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

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