

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4981 of 2016

- Smt. Son Bai Rohidas W/o Dhaniram Rohidas Aged About 60 Years
R/o Village Dhawaipur, Police Station Katghora, District Korba,
Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through Police Station Lemru, District Korba,
Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Vimlesh Vajpai, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

29.08.2016

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 04/2016 registered at P.S. Lemru, Distt. Korba (C.G) for the offence punishable under Section 363, 366, 376, 34 of IPC & Sections 4 & 6 of the Protection of Children from Sexual Offences Act.
2. As per the prosecution case, on 23.01.2016 the victim girl went to the school and did not come back. Thereafter a report was made that the present applicant and her son Ajay Kumar Rohidas had abducted and enticed away the girl on the pretext of marriage. Subsequently the girl was recovered from the possession of the present applicant and it was revealed that the applicant along-with co-accused has committed offence.
3. Learned counsel for the applicant submits that the victim girl and son of the applicant were in love relations and the victim herself went to the house of applicant and the applicant has not committed any crime.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statement of victim u/s 164 Cr.P.C., wherein she has stated that she herself has gone along-with with Ajay Rohidas and the applicant to village Dhavaipur despite resistance by the applicant.
6. Considering such statement of victim as also the totality of the facts and circumstances of the case, I am inclined to allow this bail application.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court. She will also appear before the trial Court as and when directed by the said Court.

C.c. as per rules.

Sd/-
GOUTAM BHADURI
JUDGE