

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 147 of 2016

Smt. Latika Kaviraj, W/o. Pintu Kaviraj, Aged About 20 Years, R/o. Village
P.V. 98 P.S. Bande, Revenue & Civil District North Bastar, Kanker,
Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh, Through the Police Station Bande, District North
Bastar, Kanker, Chhattisgarh

---- Respondent

For Applicant : Mr. P.K.Tulsyan, Advocate

For Respondent : Mr. Anil S. Pandey, Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

25.01.2016

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.56/2015, registered at Police Station– Bande, District Kanker (C.G.) for the offence punishable under Section 363, 366, 376/34 of Indian Penal Code & under Section 4, 6 of the Protection of Children from Sexual Offence Act, 2012.
2. Case of the prosecution, in brief, is that a missing report was made by the father of the victim on 21.08.2015 that from 19.08.2015 his girl was missing and thereafter the girl was recovered from the possession of the other co-accused Dipankar on 24.08.2015 and on investigation it was revealed that Dipankar has enticed the girl on the pretext of marriage and thereafter committed sexual intercourse and this applicant, being sister-in-law of Dipankar, has

helped Dipankar to run away to reach the Station while the victim and Dipankar fled away.

3. Learned counsel for the applicant submits that the main allegation is attributed to the other accused Dipankar and the only allegation against this applicant is that she helped the other co-accused to run away along with the victim and except that no other allegation has been attributed and, as such, the applicant 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. Perused the statement of the victim wherein only allegation has been attributed that this applicant while the victim had eloped and when they reached to Bus stand at that time the lady was there who was introduced as sister-in-law of the other co-accused Dipankar, therefore, taking into such statement of the victim and the evidence available, I am inclined to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge