

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 780 of 2016**

Smt. Jalkunwari, W/o Ramjit Ram, aged about 22 years, by
 caste : Pahadi Korwa, R/o Village Mudi, Police Station &
 Tahsil Bagicha, District: Jashpur (C.G.)

---- Applicant**Versus**

State Of Chhattisgarh: Through :- Station House Officer,
 Police Station: Bagicha, District : Jashpur (C.G.)

-----Non-applicant

For Applicant: Mr. Sushil Dubey, Advocate.
 For Respondent/State: Mr. Avinash Singh, PL

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****29/02/2016**

(1) The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No. 145/2015 registered at Police Station Bagicha, District Jashpur for the offences punishable under Sections 363, 366, 368 & 376 of Indian Penal Code & Sections 3 & 4 of Protection of Children from Sexual Offence Act, 2012.

(2) Case of the prosecution, in brief, is that co-accused Ramjeet Korwa (husband of the applicant) kidnapped the minor prosecutrix and compel her to marry with him against her will and committed sexual intercourse with her and present applicant assisted co-accused Ramjeet Korwa in commission of offence.

(3) Counsel for the applicant submits that applicant has been falsely implicated in the offence in question as she has not

committed any offence. He further submits that applicant, being a woman, is languishing in jail since 21.09.2015; and the charge sheet has already been filed and, therefore, the applicant may be released on bail.

(4) On the other hand, counsel for the State opposes the bail application.

(5) Taking into consideration the facts & circumstances of the case; further considering the fact that main allegation is against the co-accused i.e. husband of the applicant; pre trial detention and the charge sheet has already been filed; this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the bail application is allowed.

(6) Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

D/-