

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 666 of 2016**

1. Smt. Vaijayanti, W/o Shri Prabhu Marawi, Caste Gond, Aged about 53 years, R/o Mohlainbhata, Jail Road, Katghora, P.S. Katghora, Tehsil Katghora, District Korba (C.G.)
2. Smt. Parmila, W/o Shri Veeru, Caste Dhanuwar, Aged about 28 years, R/o Khadpadi (Chotiya), Police Chowki Korbi, District Korba (C.G.)

---- Applicants**Versus**

The State Of Chhattisgarh: through Station House Officer of Police Station Khatghora, District Korba (C.G.)

-----Non-applicant

For Applicants: Mr. Shivang Dubey, Advocate.
 For Respondent/State: Mr. Aditya Sharma, Panel Lawyer.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****23/02/2016**

Heard.

(1) The accused/applicants have moved this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 226/2015 registered at Police Station Katghora, District Korba for the offences punishable under Sections 370 & 365/34 of Indian Penal Code.

(2) Case of the prosecution, in brief, is that applicants sold victim Sonkunwar to several persons at different interval of time and she was kept captive for three years with the last man from

where she was able to flee and returned back to her home.

(3) Learned counsel for the applicants would submit that applicants have been falsely implicated in the offence in question as they have nothing to do with the same. He further submits that there is inordinate delay of three years in lodging the First Information report as the incident had occurred in the month of October, 2012 whereas FIR has been lodged on 19.9.2015. He further submits that applicants are in detention since 20.09.2015; charge sheet has already been filed and no useful purpose would be served in detaining them in jail and, therefore, the applicants may be released on bail.

(4) On the other hand, counsel for the State would submit that applicant No. 2- Parmila has taken the complainant from her village to Katghora and applicant No.1 has taken her from Katghora to Ranchi and where she has sold the victim to one Mangal.

(5) Taking into consideration the facts & circumstances of the case the role of the applicant No.1 that she has taken the complainant from Katghora to Ranchi and where she has sold her to one Mangal, I am not inclined to release her on bail. Thus the bail application in relation to applicant No. 1- **Smt. Vaijayanti** is rejected, *whereas* taking into consideration the role of applicant No. 2 in the offence in question; further considering the fact that she, being the woman, is languishing in jail since 20.09.2015; 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 No. 2 – **Smt. Parmila** 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/-