

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.No.350 of 2016**

1. Rubi Kaur @ Manpreet Kaur D/o Balbir Singh aged about 22 years,
2. Satya Kaur w/o Balbir Singh, aged about 50 years,

Both R/o-Near Mahua Tree Quarter No.104 C Camp-1, Bhilai, Tehsil and District Durg, Civil and Revenue District Durg (CG)

3. Satwant Kaur W/o Rajneet Singh, aged about 36 years, R/o-Near Mahua Tree Quarter No.104 C Camp-1, Bhilai, Tehsil and District Durg, Civil and Revenue District Durg (CG)

---Applicants

Versus

State of Chhattisgarh Through: Station House Officer, Chhawani (Bhilai), District Durg (CG)

---Non-applicant

For Applicants	:	Mr. Avinash Chand Sahu, Advocate
For Non-applicant	:	Mr. S. Awasthy, Panel Lawyer

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board**

08/02/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.531/2015, registered at Police Station-Chhawani (Bhilai), District-Durg (C.G.), for the offence punishable under Sections 344, 109, 506 & 376/34 of the IPC and Sections 5 & 6 of the Prevention of the Children from Sexual Offences Act, 2012.

2. Case of the prosecution, in brief, is that on 10.4.2015 one co-accused Happy Singh committed sexual intercourse with minor prosecutrix and the present applicants abetted the commission of said offence and wrongfully confined her.

3. Learned counsel for the applicants would submit that the offence in question has been committed by co-accused Happy Singh and the present

applicants are alleged to have helped/abetted the commission of offence. He would further submit that the applicants are in jail since 23.9.2015 and charge-sheet has already been filed and therefore, they may be released on bail.

4. On the other hand, learned counsel for the State would oppose the bail application.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case; further taking into consideration the nature and gravity of offence; role of the present applicants; their pre-trial detention; they are women and the fact that charge-sheet has already been filed, this Court is of the opinion that present is a fit case, in which, the applicants 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 applicants shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

B/-