

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4535 of 2016

- Smt. Pramila Gupta W/o Late Vijay Prasad Gupta Aged About 55 Years Caste : Teli, Occupation : House Wife, R/o Durgapara, Police Station & Tashil : Bagicha, District : Jashpur Chhattisgarh ---
Petitioner

Versus

- State of Chhattisgarh Through : Police Station : Ajak Ambikapur, Surguja District : Surguja Chhattisgarh --- **Respondent**

For the applicant	:	Mr. Pushpendra Kumar Patel, Adv.
For the Respondent	:	Mr. Neeraj Jain, Govt. Lawyer

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. 15 of 2016 registered at P.S. Ajak, Ambikapur, Surguja, Distt. Surguja (C.G) for the offence punishable u/ss 363, 366, 376 (dha), 365, 368, 342, 344, 506-B, 323, 114, 109 IPC & Section 3(2) (V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, a written report was made by the prosecutrix that on 21.03.2016 she went to discharge her duty of pulse polio programme, at that time, one Ankit Gupta came in motorcycle and took her to different places and thereafter committed rape in forest. Subsequently he took her to his house and kept her there for 17 days wherein the applicant who is mother of Ankita Gupta never allowed the prosecutrix to go out of the house and when the prosecutrix wanted to go out, she was forced to stay in her house and

while she was going with Ankita Gupta on 16.03.2016, the was seen by her mother and father and thereafter she was taken back to the house by the mother-in-law.

3. Learned counsel for the applicant would submit that the present applicant is mother of Ankit Gupta and false allegations have been levelled and it is completely improbable that the girl can be kept under captivity in the house when the girl of her own was freely roaming to all places.
4. Per contra, learned State Counsel opposes the bail.
5. Perused the the statement of prosecutrix. Taking into such statement and considering the nature of allegations levelled against the applicant, without any further observation, I am inclined to allow this bail application.
6. 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**