

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5738 of 2016

- Kumari Yogita Doye D/o Hariji Doye Aged About 22 Years (Wrongly Mentioned Dari Ji) Occupation- Nurse, R/o Birsi, Police Station & Tahsil- Gondiya, District Gondiya Maharashtra, At Present- K.C. Hospital Raipur, District Raipur, Civil & Revenue District Raipur, Chhattisgarh. **--- Applicant**

Versus

- State of Chhattisgarh S/o Through Police Station- A.J.K., District Raigarh, Chhattisgarh. **--- Respondent**

For the applicant	:	Mr. Manoj Sinha, Advocate
For the Respondent	:	Mr. Anil S. Pandey, Govt. Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26.09.2016

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. 199 of 2016 registered at P.S. A.J.K., Raigarh, Distt. Raigarh (C.G) for the offence punishable under Sections 365, 366, 370, 376/34 of IPC and sections 3(1)(Ja)(Ba), 3(2)(v)(A) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, a missing report was lodged on 27.06.2016 that from 12.05.2016 the girl is missing. Subsequently when the girl was recovered, it was revealed that one of the other co-accused has enticed away the girl and thereafter at Raipur they stayed in the house of the present applicant.
3. Learned counsel for the applicant would submit that the main allegations are attributed to Deepak and other accused and it is only alleged against the applicant that during such

transit, for some time, the victim and other accused have stayed in the house of the present applicant, therefore, the allegations levelled against the applicant are not serious and she may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail.
5. Perused the statements of the victim girl under sections 161 and 164 Cr.P.C. In 164 Cr.P.C., it is stated that the applicant allowed the victim and other co-accused to stay in her house for 2-3 days.
6. Taking into such allegations attributed to this applicant and the applicant, who is a lady, is in jail since 02.07.2016, I am inclined to release her on bail.
7. 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**