

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6632 of 2016

- Sonam Lakra D/o Shri Robin Lakra Aged About 20 Years (Wrongly Mentioned As W/o Shri Vikas Soni), R/o Jena Talab, Ambikapur, Police Station Ambikapur, District Sarguja, Chhattisgarh. (Wrongly Mentioned As R/o Mishra Gali, Surajpur, Ward No. 1, Police Station Surajpur, District Surajpur, Chhattisgarh. --- **Petitioner**

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Dharasinwa, District Raipur, Chhattisgarh. --- **Respondent**

For the applicant	:	Mr. Rishi Rahul Soni, Advocate
For the Respondent	:	Mr. Ashutosh Pandehy, Panel Lawyer.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

25.10.2016

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. 279 of 2015 registered at P.S. Dharasinwa Distt. Raipur (C.G) for the offence punishable under Sections 498-A, 323 read with Sections 34, 376 read with Sections 109 & 506 Part-I/34 IPC.
2. As per the prosecution case, a report was lodged by the prosecutrix on 31.08.2015 against Vikas Soni her husband, mother-in-law Arti Soni, the present applicant who is said to be the second wife of Vikas Soni and one Tripal. It is alleged that the prosecutrix was married to Vikas Soni and thereafter she was subjected to torture by her husband and in-laws which led to a case of domestic violence. Thereafter, the prosecutrix was shifted to Raipur where her husband Vikas Soni and the present applicant Sonam Lakra used to sent the prosecutrix to the control of co-accused Tripal who

committed forcible forcible sexual intercourse and the prosecutrix was not allowed to move out of the room by the present applicant and her husband, thereby the offence is committed.

3. Learned counsel for the applicant would submit that false allegations have been attributed to the present applicant and she is not wife of Vikas Soni and only to aggravate the allegations of domestic violence the name of present applicant has been inculpated. He further submits that the charge sheet in this case has been filed and the applicant is in jail since 05.12.2015, therefore, she may be enlarged on bail.
4. Per contra, learned State Counsel opposes the bail.
5. Considering the nature of allegations attributed to this applicant and further taking into fact that the charge sheet has been filed and the applicant is a lady and is in jail since 05.12.2015, I am inclined to release her on bail.
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