

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7238 of 2017

- Smt. Prabha Chouhan @ Janki Chouhan W/o Roopdev Ram, Aged About 40 Years R/o Village Bagdol (Dhekitoli), Police Station And Tahsil Batouli, District Surguja Chhattisgarh Presently R/o Birimkela, Police Station And Tahsil Batouli, District Surguja Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Narayanpur, District Jashpur Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Manoj Chouhan, Advocate.
For Respondent	:	Mr.Sumit Jhanwar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

14/12/2017

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested in connection with Crime No.103/2016, registered at Police Station-Narayanpur, District– Jashpur (C.G.) for the offence punishable under Sections 363, 370 & 371 of Indian Penal Code (for short 'IPC').
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. Applicant is in jail since 07.6.2017. Complainant Lakhnuram Nagwanshi has lodged a false report against the applicant. The daughter of the complainant along with one another girl willingly accompanied the applicant to Delhi in search of employment and applicant had also helped both the girls in

getting employment in Delhi. Statements of Sushila & others recorded under Section 164 of CrPC clearly show that since both the girls were not satisfied with their employment, they had returned to their place and it is nowhere stated that applicant used any force or kept the girls in confinement against their will. Hence, applicant has a good case to defend. Applicant is in jail since 7.6.2017. She is a local resident of District-Surguja and ready to abide by all the conditions imposed for grant of bail, hence, it is prayed that applicant may be benefited with grant of regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that statements of the witnesses clearly show that applicant had been preparing to sell both the girls to somebody and when the said girls came to know about the said fact, they escaped from her clutches and came back. Hence, she is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. The case against the applicant is this that applicant allured minor girls Sushila and Dilasa by saying that she would get them good employment, having good return by way of income, in Delhi. Both the girls got influenced and accompanied her. It is alleged that the girls were employed somewhere and however, on coming to know that the applicant is planning to sell them, the said girls escaped and rescued themselves.
6. Considering the submissions made, contents of the case diary and the fact that applicant is a woman and local resident of District-Surguja, the trial is like to take some time for its disposal and further considering that appearance of the applicant before the Court below can be

assured by imposing conditions, I am of the opinion that present is a fit case where applicant should be benefited with grant of bail.

7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha