

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.3255 of 2017**

- Smt. Malti @ Khushi S/o Abdul Sami Khan @ Sameer, @ Vivek, Aged About 28 Years R/o Jai Jawan Society, Banodi Gaon, P S Banodi, Distt : Pune (M H), Presently R/o House No. R/ Wood/ 110 Housing Board Colony, Boriya Kala, P S Sejbahar, Distt. Raipur (Chhattisgarh)

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station D.D. Nagar, Civil & Revenue District Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Devarshi Thakur, Advocate
For Respondent/State	: Shri Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Chandra Bhushan Bajpai**Order On Board****03.7.2017**

Heard the matter finally.

2. This is an application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.89/2017 registered in Police Station DD Nagar, Raipur (CG) for the offence punishable under Sections 364A, 120B, 342, 323/34 of the Indian Penal Code and under Sections 25 & 27 of the Arms Act, 1959.

3. Learned counsel for the applicant submit that the applicant has been arrested on 17.3.2017, after investigation, police has filed charge sheet which is pending before Judicial Magistrate First Class, Raipur. Police has filed charge sheet against five accused persons including the present applicant and till date the the remaining four accused persons have not applied for bail.

Applicant is a woman, she is in jail along with her new born baby and another daughter, aged about 3 years. She is innocent, is not connected with the incident, at the time of the incident she was residing in lower floor of the apartment where the incident took place. As per the allegation co-accused Manoj Sharma kidnapped Sushil Gupta and kept him in the upper floor of the apartment and demanded Rs.10 lakh as ransom from wife of Sushil Gupta. The applicant is not connected with other co-accused persons, hence, she may be granted bail.

4. Per contra, learned counsel for the State opposes the bail application on the basis of material collected by the police during investigation regarding involvement of the present applicant in the matter for demand of ransom, to watch out the activities outside and also for keeping fake ID proof, including Pan Card and Aadhar Card, hence, the instant bail application may be dismissed.

5. Perused the entire material.

6. On due consideration of the evidence collected against the applicant, prima facie, her involvement in the matter and looking to the entire material I am not inclined to grant bail to the applicant.

7. Accordingly, application filed under Section 439 of Cr.P.C. is hereby dismissed.

Sd/-

(Chandra Bhushan Bajpai)

JUDGE