

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C No. 6877 of 2017

- Smt. Geeta Rajani W/o Makhan Rajani Aged About 45 Years
R/o Avanti Vihar, Kavita Nagar, Near Aastha School, Housing
Board, Quarter No. M I G 09, The House Of Krishna Agrawal,
Raipur, Post Office Raipur, Police Station Telibandha Raipur
District Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer,
Police Station City Kotwali, Durg District Durg Chhattisgarh

---- Respondent

For the Applicant : Shri Shivendu Pandya,
Advocate.

For the Respondent/State : Shri O.P.Sahu, GA.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

08.12.2017

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. 561/2017, registered at Police Station – City Kotwali,
District – Durg, (C.G), for the offence under Section 363, 342,

384, 354, (D) / 34 of the Indian Penal Code and 11 (IV), (V) / 12 / 17 of the Protection of Children From Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and he is in jail since 11.08.2017. No role has been played by him in commission of offences as alleged by the prosecutrix and there is no evidence to support any case against her, hence, the applicant deserves to be enlarged on bail.
3. Learned counsel for the State opposes the bail application and submissions made in this respect. It is submitted that son of the applicant - Kundan Rajani had on various occasions threatened and extorted the prosecutrix and also demanded money from the prosecutrix, thereafter, it was the applicant, who had called the prosecutrix and kept in confinement in her house thus helping her son, hence, the applicant is not entitled for grant of bail.
4. Heard counsel for both the parties and perused the case diary.
5. The facts of the case are these that the applicant and the prosecutrix were previously acquainted, as alleged the main accused Kundan Rajani had some photographs of the prosecutrix in his Mobile Phone, which he used to threaten her that he will display her photographs before the members of the family, unless she pays him whatever he demands, because of which the prosecutrix was compelled to give amount, Jewellery's and Mobile Phones to the main accused (Kundan Rajani). After the arrest of the main accused (Kundan Rajani), prosecutrix went to the house of the

applicant on her call and when she was taking rest, it was after some times the parents of the prosecutrix came on the spot with the Police to recover her.

6. Considering the submissions, contents of the case diary, taking into consideration the role of the applicant, I am of the opinion that it is a fit case, where the applicant is entitled for 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 her 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 her appearance as and when directed.

Sd /-
(Rajendra Chandra Singh Samant)
Judge

Jamal