

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 8475 of 2016

- Hamida Begum D/o Naimul Khan Aged About 26 Years R/o Kantabel, Tahsil Manora, District- Jashpur, Chhattisgarh.

---- **Petitioner**

Versus

- State Of Chhattisgarh Through The Incharge, Out Post Manora, Police Station Jashpur, District Jashpur, Chhattisgarh.

---- **Respondent**

For Applicant : Mr. J.K. Saxena, Advocate

For Respondent/State : Mr. Avinash Mishra, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

04-01-2017

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 on 26-8-2016 in connection with Crime No. 183 of 2016, registered at Out Post Manora, PS Jashpur, District Jashpur (CG) for the offence punishable under Sections 363 and 370 of the IPC.
2. Case of the prosecution, in brief, is that on 7-8-2016, a report was made by the complainant Ramesh Bhagat, father of the victim girls that the present applicant allured three girls and thereafter took them away to Delhi to get them employed, but they reached Delhi and thereafter they stayed in the house of the applicant and thereafter when the applicant did not return after seven days, they came back with the help of the husband of the applicant and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that as per statement of the victim girl recorded under Section 164 of the

Cr.P.C., no offence has been committed. The victim girl went along with the applicant to Delhi wherein neither she was subjected to sell nor was employed, but eventually she came back with the husband of the applicant, therefore, no offence has been committed. He would further submit that the applicant is a lady, charge-sheet has been filed in this case, she is in jail since 26-8-2016 and no further investigation is required, therefore, she may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties, perused the case diary and other documents.
6. Perused the statement of the victim girl recorded under Sections 161 and 164 of the Cr.P.C.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the statements of the victim girl and also the fact that charge-sheet in this case has been filed and the applicant is in jail since 26-8-2016, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on her furnishing a personal bond in the 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.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

