

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1123 of 2016**

- Smt. Sukhari Bai W/o Sonsai Paikara Aged About 34 Years R/o Village Davna, Police Station Jhilmili-Bhaiyathan, District Surajpur, Chhattisgarh.

---- **Petitioner****Versus**

- State of Chhattisgarh Through Station House Officer-Police Station Lundra, District Surguja, Chhattisgarh.

---- **Respondent**

 For Applicant : Mrs. Hamida Siddiqui, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****09-02-2017**

1. Apprehending arrest in connection with Crime No. 17 of 2016 registered at Police Station Lundra, District Surguja (CG) for offence punishable under Sections 341, 366, 376, 506/34 of the IPC, the applicant has preferred this second bail application for grant of anticipatory bail under Section 438 of Cr.P.C. Earlier first anticipatory bail application was dismissed for want of prosecution on 7-10-2016.
2. As per case of the prosecution, one Kariman Paikara abducted the victim girl, who committed sexual intercourse with her on the pretext of marriage and present applicant, who is sister of main accused Kariman Paikara gave shelter to victim girl and main accused to stay in her house and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that main accused Kariman Paikara is the brother of the present applicant and he was eloped and was given shelter by the husband

of the present applicant as such she cannot oppose the same and the victim girl was a major, therefore, no allegations have been attributed to the present applicant. It is further submitted that other co-accused person namely Kariman Ram has been granted bail vide order dated 25-7-2016 passed by this court in M.Cr.C.No. 3534 of 2016 and Sonsai Paikara has been granted bail vide order dated 26-4-2016 passed by co-ordinate Bench of this Court in M.Cr.C. No.2116 of 2016, therefore, the applicant may be extended the benefit of anticipatory bail.

4. Learned State counsel opposes the prayer for grant of anticipatory 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 wherein no direct allegations have been attributed to the present applicant.
7. Considering the facts and circumstances of the case, nature of allegations leveled against the applicant and further considering the statement of the victim girl and also the fact that other co-accused persons have been granted bail by this Court and co-ordinate Bench of this Court, I am inclined to extend benefit of anticipatory bail to the applicant.
8. Accordingly, the anticipatory bail application is allowed and it is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on bail by the officer arresting her on his executing a personal bond in the sum of Rs.25,000/- with one local surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions:

- (i) that the applicant shall make herself available for interrogation before the Investigating Officer as and when required.
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any Police Officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) the applicant shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju