

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5975 of 2017

Smt. Radha Bai Baghel, W/o. Suresh Baghel, Aged About 32 Years, R/o. Housing Board Colony Siddu Raipur, Police Station- Vidhansabha, District Raipur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through It's Police Station Vidhansabha, Civil & Revenue District Raipur, Chhattisgarh.

---- Respondent

For Applicant : Mr. B.L.Sahu, Advocate

For Respondent : Mr. Sangharsh Pandey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

19.09.2017

1. This is the second 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.21/2017 registered at Police Station- Vidhansabha, Raipur, (C.G.) for the offence punishable under Section 370, 370-A(2) of I.P.C. The first bail application was dismissed on merit on 21.03.2017 in MCRC No.1523/2017.
2. As per the prosecution case, on 26.11.2016 a report was made by the father of victim that his daughter was found missing. Subsequently, on 24.01.2017 she was found in the house of Kalla at Karoli Sabji Mandi in Rajasthan. It is alleged that the present applicant has enticed her away and sold her for Rs.12,000/- to Kalla who performed married with the girl.
3. Learned counsel for the applicant would submit that after rejection of the first bail application on 21.03.2017, the prosecutrix has been examined as PW-1 and no allegation has been attributed to the present applicant Smt. Radha Bai Baghel and she stated that she

has married with one Kalli as she was in love relation with the said person and she of her own went to Rajasthan when the present applicant and other co-accused have gone to Rajasthan; therefore, the applicant may be released on bail.

4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the statement of the victim PW-1. In her statement at para 5 and para 15 & 16 no allegation has been attributed to the present applicant. Considering the same, without any observation on merit, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on 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/-
(Goutam Bhaduri)
Judge