

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 453 of 2018**

Smt. Sushila Bai W/o Basant Ram Aged About 28 Years Caste- Malar, R/o Village Pakrikachhar, Police Station Narayanpur, District- Jashpur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Station- Bagicha, District Jashpur, Chhattisgarh.

---- Respondent

For the Applicants : Shri J.K. Saxena, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****20.03.2018**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.171 of 2017, registered at Police Station – Bagicha, District – Jashpur, Chhattisgarh for the offence punishable under Sections 363, 370(3) and 370(4) of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 30.9.2017 and has been falsely implicated in this case. After completion of investigation, the charge-sheet has been filed. According to the prosecution case, the victim in this case has given a different statement which supports the defence of this applicant. The applicant has no criminal

antecedents and the trial of the case is likely to take some time for its final disposal. Hence, it is prayed that the applicant be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.

4. Heard counsel for both the parties and perused the case diary.

5. The allegation against this applicant is that she allured the victim Ku. Lalita Nagwanshi, the minor girl below the age of 18 years that she will get job with an attractive salary in Bilaspur and despite the refusal of the father of the victim, this applicant took the victim with her. After a complaint made by the father of the victim, the applicant and the victim were intercepted in a bus in which they were travelling and the victim was recovered in the custody of this applicant. Hence, this case.

6. On perusal of the statement under Section 164 of Cr.P.C. given by the victim in this case, it appears that the arguments submitted on behalf of the applicant find some support and this applicant has a case to defend and the fact that there is no criminal antecedents against this applicant, I am of the considered opinion that the applicant deserves to be released on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that applicant shall be released on bail on 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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge

Nimmi