

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 666 of 2018

- Smt. Son Bai W/o Maniram Rajput Aged About 58 Years R/o Kashinagar, out Post Rampur, Police Station Kotwali, Revenue And Civil District Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer Police Station Kotwali (Police Out Post Rampur), Revenue And Civil District Korba, Chhattisgarh., District : Korba, Chhattisgarh

---- Respondent

For Applicant	:	Mr. S.B. Pandey, Advocate.
For Respondent/State	:	Mr. Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

27/03/2018

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.502/2017 registered at Police Station– Kotwali, District– Korba(C.G.) for the offence punishable under Sections. 363, 366(A), 368, 376/34 of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act, 2012.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated, on the basis of the false allegation made by the prosecutrix in this case only for the reason that she is the mother of the main accused Ajay. No case is made out against her, on the basis of the material present in the charge-sheet filed against her. The co-accused persons Sushil Kumar Kori, Santosh Chandra and

Ashish Shams have been granted bail. Hence, it is prayed that applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that there is direct statement of the prosecutrix against this applicant in her statement under Section 164 of CrPC. No case is made out for grant of bail. Hence, she is not entitled for grant of regular bail.
4. Heard both the parties and perused the case diary.
5. The allegation against this applicant is this, that she pressurized and threatened the minor prosecutrix that she will kill her maternal grandfather and brother if she does not fulfill her demand and thus she extorted Rs.95,000/- from the minor prosecutrix.
6. Perused all the documents present in the case diary there is no investigation in the case regarding the collection of money by this applicant and the payment made by the prosecutrix. Looking to the peculiar nature of the allegations, I am of this opinion that this is a fit case where applicant should be released on regular 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