

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 834 of 2018**

Kumari Ranu Sen, D/o. Late Bali Ram Sen, Aged About 22 Years, R/o. Sahupara Khamtra, District Raipur Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station Gudhiyari, District Raipur Chhattisgarh.

---- Respondent

For Applicant : Mr. Y.C. Sharma, Advocate

For State/respondent : Mr. Vijay Bahadur Singh, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**02/04/2018**

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.170/2017, registered at Police Station – Gudhiyari, District – Raipur (C.G.), for the offence punishable under Section 363, 377 of the Indian Penal Code and Section 6 of Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail since 04.07.2017. No case is made out against this applicant on the basis of the material present in the charge-sheet and vague allegation has been made against the applicant. Hence, prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Complainant/prosecutrix is a minor girl of below 18 years age. Father of the complainant lodged FIR on 29.06.2017 against unknown person about the abduction of his minor daughter. Prosecutrix appeared in the police station on 04.07.2017 then on the basis of the statement given by her, offence has been registered against this applicant.
6. Considered on the submissions made and the contents of the case diary and also perused the statement of the complainant/prosecutrix under Section 164 of Cr.P.C. Although it appears to be a case of lesbianism, which is not recognized in this country, but looking to the statement of the prosecutrix under Section 164 of Cr.P.C., this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular 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 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/-
(Rajendra Chandra Singh Samant)
Judge