

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1037 of 2018**

Smt. Rambai W/o Wd/o Late Chhotelal Sharma, Aged About 50 Years Caste Bramhan, R/o Bargawa, Amlai, Police Station Chachai District Anuppur (M.P.), District : Anuppur, Madhya Pradesh.

---- Applicant**Versus**

State Of Chhattisgarh Through Station House Officer, Police Of Police Station Jhagrakhand, District Korea Chhattisgarh, District : Koriya (Baikunthpur), Chhattisgarh.

---- Respondent

For the Applicant : Shri Sanjeev Verma, Advocate.
For the Respondent/State : Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****10.04.2018**

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.139 of 2017, registered at Police Station – Jhagrakhand, District – Korea, Chhattisgarh for the offence punishable under Sections 363, 366, 368 and 376(2)(tha)(dha) of the Indian Penal Code and Sections 4, 6, 19 and 21 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned counsel for the applicant submits that the applicant is in jail since 15.11.2017 and she has been falsely implicated in this case only for the reason that she is mother of main accused – Ramesh Sharma. After completion of investigation, the charge-sheet has been filed. 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. According to the prosecution case, main accused – Ramesh Sharma abducted the minor prosecutrix and brought her to his own house shared with this applicant where the prosecutrix was kept in confinement for 4 to 5 days and then she was recovered by the police. Thereafter, on the basis of the statement given by the prosecutrix, the case has been registered against the applicant and the co-accused person.
6. As it appears that the applicant had not played any active role in the commission of offences as alleged in this case, I feel inclined to grant regular bail to the applicant.
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.

Sd/-

(Rajendra Chandra Singh Samant)
Judge