

HIGH COURT OF CHHATTISGARH, BILASPURMisc. Criminal Case No.1543 of 2018

Shahjahan Begum, aged about 41 years, W/o Mirja Salim Beg, R/o Ravabhata, Danteshwari Chowk, PS Khamtarai, Distt. Raipur (C.G.)

---- Applicant
(In Jail)

Versus

The State of Chhattisgarh, Through P.S. Gudhiyari, Raipur (C.G.)

---- Non-applicant

For Applicant:	Mr. Pushpendra Kumar Patel, Advocate.
For Non-applicant:	Mr. Dilman Rati Minj, Deputy Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal

Order On Board

23/04/2018

1. The accused/applicant has moved this bail application under Section 439 of the Code of Criminal Procedure, 1973 for releasing her on regular bail during trial in connection with Crime No.233/2017, registered at Police Station Gudhiyari, Raipur, for the offence punishable under Sections 365, 342, 323, 376, 506 and 368 read with Section 34 of the IPC.
2. Case of the prosecution, in brief, is that rape was committed by one accused Aman Beg and the applicant facilitated and provided accommodation where the co-accused committed sexual intercourse with the prosecutrix, and thereby committed the offence.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and she has been falsely implicated, no offence of rape is alleged to have been committed against the applicant. Charge-sheet has been filed and the applicant is in jail since 17-9-2017.

4. On the other hand, learned State counsel opposes the application.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of offence, facts and circumstances of the case, allegation of rape is against Aman Beg and only providing accommodation for committing the offence is alleged against the present applicant, I am of the view that it is a fit case to enlarge the applicant on regular bail. Accordingly, the application is allowed.
7. It is, therefore, directed that the applicant 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 Court for her appearance as and when directed.

Sd/-
(Sanjay K. Agrawal)
Judge