

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4323 of 2018

- Girja Chauhan W/o Shri Mohit Chauhan Aged About 24 Years, R/o- Bazarpara, Khallari, Thana- Khallari, Civil And Revenue District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Station House Officer Police Station- City Kotwali Mahasamund, Civil And Revenue District- Mahasamund, Chhattisgarh., District : Mahasamund, Chhattisgarh

----Non-applicant

For Applicant – Shri Sunil Sahu, Advocate.

For Non-applicant/State – Shri Ashok Swarnkar, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

11-07-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. for grant of regular bail. The applicant has been arrested on 28-04-2017 in connection with Crime No.229/2017 registered at P.S. - City Kotwali Mahasamund, District- Mahasamund, Chhattisgarh for the offence under Section 363, 372, 373, 376/34 of the IPC and Section 4, 6 of Protection of Children's from Sexual Offences Act 2012 and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2. It is submitted on behalf of the applicant that this is third bail application filed by the applicant for grant of regular bail before this Court. Her earlier two bail applications filed before this Court had been withdrawn with liberty to revive the same if any occasion arises. Learned counsel for the applicant further submits this applicant is innocent and she has been falsely implicated in this case. The only ground that is being raised in this application is that the trial against this applicant is getting prolonged, copy of the order sheets of the trial Court are produced along with the application, which show that the witnesses are not traceable, because of which, this applicant is languishing in jail without

any fault on her part.

3. Learned counsel for the State/non-applicant opposes the application.

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

5. The allegation against this applicant is this, that she hired the prosecutrix as domestic help and forced her in prostitution business.

6. Considered on the material present in the case diary. This applicant is in jail for a period of more than one year, the trial is getting delayed because the witnesses are not turning up, hence, for these reasons, I feel inclined to grant bail to this applicant.

7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the 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 Court, for her appearance as and when directed.

8. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge