

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4762 of 2018**

Ratrani W/o Basant Panika Aged About 35 Years Caste- Panika, R/o- Village Thakurhatthi, P.S. Sonhat, District- Korea, Chhattisgarh., District : Koriya (Baikunthpur), Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For the Applicant : Shri Suman Rodge, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****02.08.2018**

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. 71 of 2017, registered at Police Station Sonhat, District Korea, Chhattisgarh for the offence punishable under Sections 368, 376/ 109 and 120-B of the Indian Penal Code and Section 3(2) (5) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989.

2. Learned counsel for the applicant submits that the applicant is in jail since 5.9.2017 and has been falsely implicated in this case. No case is made out against the applicant on the basis of the material placed before the Court by the prosecution. 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. The allegation against the applicant is that she called the prosecutrix to her house where main accused – Jitendra Singh arrived and send the applicant out of the house and thereafter, he raped the prosecutrix.

6. Considering the evidence regarding the role played by the applicant, I am of the considered view that the present is a fit case where the applicant should be benefited with grant of 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 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. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge