

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 5080 of 2018**

Padma Mahant W/o Shri Bihari Das Mahant Aged About 58 Years R/o Bajrangpara, Nigam Colony, Jute Mill, P. S. Jute Mill, District Raigarh Civil And Revenue District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The District Magistrate Raigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Respondent

For the Applicant : Shri Manoj Kumar Sinha, Advocate.
For the Respondent/State : Shri Vinod Tekam, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****08.08.2018**

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.844 of 2017, registered at Police Station – Jute Mill, District Raigarh, Chhattisgarh for the offence punishable under Sections 368, 370, 363 and 496/34 of the Indian Penal Code.

2. Learned counsel for the applicant submits that the applicant is in jail since 23.11.2017 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. The victim in this case has been examined before the concerned Court. The victim made an admission in her cross-examination that she married with Mahesh Thakur willingly. 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 case against the applicant is that she induced the victim that she can arrange for her job and took her to a place by train. In the destination, they met with one co-accused – Mamta Thakur and thereafter, she was forced to marry with co-accused – Mahesh Thakur, for which the applicant received an amount of Rs.21,000/-. Later on, after the distress call was made by the victim, she has been recovered from co-accused – Mahesh Thakur.

6. Considered the entire material present in the case-diary. Presently, the case is pending before the trial Court and she is a local resident of District Raigarh, therefore, I am of the considered view that no purpose would be served if the applicant is kept in detention for the whole period of trial. Hence, this application deserves to be allowed.

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

Nimmi