

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5961 of 2018

- Smt. Laxmi Sharma W/o Shahji Bargis, Aged About 40 Years, R/o Kailash Gali, Laltanki, Raigarh, District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Kotra Road, Raigarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh

----Non-applicant

For Applicant – Shri Ashish Gupta, Advocate.

For Non-applicant/State – Ms. Madhunisha Singh, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

04-09-2018

1. Heard on the application filed under Section 439 of the Cr.P.C. This is second bail application before this Court filed by the applicant for grant of regular bail. Her first bail application before this Court was dismissed as withdrawn. The applicant has been arrested on 01-04-2018 in connection with Crime No.38/2018 registered at P.S. - Kotra Road, Raigarh, District Raigarh, Chhattisgarh for the offence under Section 372, 373 of the IPC and Section 5 of the Illicit Trafficking Prevention Act.

2. It is submitted on behalf of the applicant that the applicant has been falsely implicated in this case. She is in jail since 01-04-2018. No case is made out against this applicant. The victim in this case has been examined before the trial Court and she has not supported the prosecution case, hence, this is change in circumstance. Therefore, it is prayed that the applicant may be released on regular bail.

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 compelled the minor victim in this case for prostitution.

6. Considered on certified copy of the deposition of the victim in this case. According to the statement given by her, she has not supported the prosecution case in any manner and she was declared hostile by the prosecutor, hence, under this circumstance, I am of this opinion that this applicant should be granted regular bail.

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