

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6514 of 2018

Saniyaro W/o Bhuneshwar Aged About 28 Years Caste Malar,
Occupation Labour (Aaya) R/o Village Sonkyari, P. S. Sanna,
District Jashpur Chhattisgarh.
--- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer,
Police Station Udaypur, District : Surguja (Ambikapur),
Chhattisgarh
--- **Respondent**

For the applicant	:	Mr. Sandeep Dubey, Advocate.
For the Respondent	:	Mr. D. R. Minj, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

02.11.2018

1. This is fourth bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 24/2016 registered at Police Station Udaypur, Distt. Surguja (C.G) (C.G) for the offences punishable under Section 107 of IPC and section 87 of the Juvenile Justice (Care and Protection of Children) Act 2015 and Section 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
2. The first bail application was dismissed on 21.07.2016, the second one was rejected on 07.10.2016 and the third one was rejected on 03.01.2018.
3. As per the prosecution case, a report was made by Juglal Paikra that her minor daughter Ku. Rimla along-with other neighbor minor girl Ku. Tulaso Manjhwari were missing. Subsequently it was found that two minor girls were taken to Delhi by the other accused and they were sold there and the present applicant has coordinated such sale.
4. Learned counsel for the applicant submits that one of the accused Shanu Gupta has been enlarged on bail by this

Court in M.Cr.C.No.1663/2018 on 26.4.2018 and another accused Rupa Devi @ Fagni was already enlarged on bail by the coordinate Bench of this Court in M.Cr.C.No.7497 of 2017 by the coordinate Bench of this Court on 16.01.2017. He submits that the case of the present applicant is also similar to that of other accused, therefore, the present applicant who is in jail since 27.03.2016 may be enlarged on bail. It is further submitted that out of 39 witnesses, so far 15 witnesses have been examined and the trial is not concluded.

5. Per contra, learned State Counsel opposes the bail application. However, he is not able to dispute the fact that the other accused have been enlarged on bail as stated above.
6. Considering the facts and circumstances of the case especially the fact that the other accused have been enlarged on bail and looking to the detention period of the applicant as she is stated to be in jail for the last more than two and half years i.e., from 27.03.2016 and further considering the fact that out of 39 witnesses, by now only 15 witness have been examined, I am inclined to allow this bail application at this stage.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance before the said Court as and when directed.
C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**