

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6394 of 2018

- Sangita Ayam S/o S/o Rajendra Aged About 29 Years R/o Kenabandh Takiya Road, Ambikapur, District Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Ambikapur, District Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Respondent

For Applicant	: Smt. Indira Tripathi, Advocate
For Respondent /State	: Shri Avinash K.Mishra, PL

Hon'ble Smt. Justice Rajani Dubey

Order On Board

26/09/2018

The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is in custody in connection with Crime No.280/2018 registered at police station Ambikapur, district Surguja (CG) for the offence punishable under Sections 114, 363,366,366A, 370, 376 and 376(D) IPC and Sections 5(1),(6)and 17 of the Protection of Children from Sexual Offences Act and Section 5 of the Prevention of Immoral Trafficking Act, 1956.

As per prosecution case, a written report was lodged by the prosecutrix in the month of January 2018 that the present applicant had offered her job and on 10.03.18 the applicant called to her house from where three unknown persons came in a car and took the prosecutrix with the help of the present applicant, to a lonely place and committed rape on her.

Counsel for the applicant submits that the applicant has been falsely

implicated and she is in jail since 11.06.18. She further submits that neither the three accused were named or mentioned in the FIR. She submits that the trial will take time for final disposal and therefore she may be released on bail.

On the other hand, learned counsel for the State opposes the bail application.

Considering the totality of the facts and circumstances of the case, in particular the nature of allegations against the applicant, I am inclined to release her on bail. Accordingly, her application filed under Section 439 of the Code of Criminal Procedure is allowed.

It is directed that in the event of the applicant's furnishing a personal bond of Rs. 20,000/- with one surety in the like sum to the satisfaction of the concerned court for her appearance before it as and when directed, she shall be released on bail.

Sd/-
(Rajani Dubey)
Judge