

HIGH COURT OF CHHATTISGARH, BILASPUR

Order Sheet

MCRCA No. 139 of 2019

Smt. Tabbasum Nisha W/o Abdul Gani Aged About 31 Years R/o Navapara, Post Udari,
District : Surguja (Ambikapur), Chhattisgarh --- **Petitioner**

Versus

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

08.02.2019	Mr. Sakti Raj Sinha, counsel for the petitioner. Mr. Ravi Bhagat, Dy.G.A., for the State. This is second bail application filed u/s 438 of the Code of Criminal Procedure. The first bail application was dismissed on 04.04.2016. Learned counsel for the applicant submits that after the husband namely Afroz and his mother were arrested, she had to leave the place and she had not absconded. He further submits that the statement of prosecutrix at Para 2 would show that she has completely exonerated the applicant and the other accused have also been acquitted. Perused the statement of victim at Para-2. Considering such statement of victim I am of the opinion that the applicant, if so advised, may surrender and move regular bail application before the concerned Court. In the event of such an application being filed, the concerned Court may decide the same on merits, as early as possible, preferably on the same day taking into consideration the facts and circumstances of the case especially the statement of victim and judgment of acquittal of other accused. Sd/- GOUTAM BHADURI JUDGE	
Rao		