

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 3458 of 2019

Kumari Ameena Ekka, D/o. Maniklal, Aged About 19 Years, R/o. Maharaniapur
P.S. Sitapur, District- Surguja, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through : Station House Officer, Police Station
Sitapur, District- Surguja, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Nishikant Sinha, Advocate
For Respondent/State	: Mr. Aadil Minhaj, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

03/07/2019

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.149/2018, registered at Police Station – Sitapur, District – Surguja (C.G.) for the offence punishable under Section 363, 366, 376 (2) (n), 34 of Indian Penal Code and Section 5 L and 6 of Protection of Children from Sexual Offences Act, 2012.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant is in jail since 06.05.2019. The applicant had simply accompanied the main accused, when he committed the offence as alleged in this case without any participation. Therefore, it is prayed that the applicant be granted regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submissions made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. According to the prosecution case, the main accused Mr. George abducted the minor prosecutrix and then by keeping her in custody in different places has exploited her sexually. The allegation against this applicant is to this extent that and he was also in company of the main accused, when the alleged offences were committed by the main accused.
6. Considered on the submissions made and the contents of the case diary. Looking to the evidence present against this applicant and the applicant is also a girl of tender age, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
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 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 trial Court, for her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge