

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 3793 of 2019**

- Rupa Singh Rathore @ Rupa Singh Thakur, D/o Late Shambhunath Thakur Aged About 29 Years Singh Thakur, R/o Lili Chouck, P.S.- Purani Basti, District- Raipur, Chhattisgarh.

---- Applicant**Versus**

- State Of Chhattisgarh Through P.S.- Moudahpara, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant	: Shri Devershi Thakur, Advocate.
For Respondent/State	: Shri Amit Singh, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board**18/06/2019**

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 79/2019, registered at Police Station – Moudahpara, District- Raipur, (C.G.) for the offence punishable under Sections 317 of the Indian Penal Code and Sections 75, 80, 81 of Juvenile Justice Act, 2015.
2. As per the prosecution story, allegations against the present Applicant is that she alongwith other co-accused persons adopted the child without following the proper process in accordance with law, which amounts to abandonment of the child. On the basis of the said, offence has been registered. Applicant has been taken into custody on 24.03.2019.
3. Learned Counsel appearing on behalf of the Applicant submits that the Applicant is innocent and has been falsely implicated in the case. He further states that *prima facie*, no offence can be made out against the present Applicant. On the basis of same fact of evidence collected by

the prosecution, the main accused of the case namely Bhupesh Makhija has already been granted bail vide order dated 07.06.2019 passed in MCRC No. 3010 of 2019. The present Applicant is in custody since 24.03.2019, charge-sheet has been filed and trial is likely to take some time. Therefore, she may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the Applicant is in custody since 24.03.2019 and trial is likely to take some time, without further commenting on merits of the case, I am inclined to release her on bail.
7. Accordingly, the bail application is allowed.
8. It is directed that the Applicant shall be released on bail on executing a personal bond for a sum of Rs. 20,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for her appearance before the said Court as and when directed.

Sd/-
(Arvind Singh Chandel)
Judge