

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3976 of 2019

1. Shakuntala Gupta, W/o Late Ramavatar Gupta, Aged About 55 Years, R/o Village Kot, Police Station & District-Surajpur Chhattisgarh.
2. Mamta Gupta, W/o Rajesh Gupta, Aged About 27 Years, R/o Village Kot, Police Station & District-Surajpur, Chhattisgarh.

---- Applicants

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station-Surajpur, District-Surajpur, Chhattisgarh.

---- Respondent

For Applicants : Mr. Jitendra Shrivastava, Advocate.

For Respondent/State : Mr. Avinash Kumar Mishra, Panel Lawyer.

For Objector : Mr. Aditya Sharma, Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant
Order On Board

24/07/2019

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 applicants who have been arrested in connection with Crime No.185/2019 registered at Police Station–Surajpur, District–Surajpur(C.G.) for the offence punishable under Sections 363, 365, 366 & 370/34 of the Indian Penal Code & Section 3(2)(v) of the SC & ST (Prevention of Atrocities) Act, 1989.
2. Learned counsel for the applicants submits that applicants are innocent and have been falsely implicated in this case. Applicants are

in jail since 19.05.2019. No case is made out against these applicants. This is not a case of abduction for the purposes of illicit intercourse or anything else. The FIR was lodged by the complainant under some misconception. After realizing the same, the complainant Sita Bai W/o Late Umesh Singh has filed an affidavit in support of this applicant which is attached along with this application, hence, it is prayed that they may be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect.
4. Learned counsel for complainant submits that he has no objection if applicants are granted regular bail.
5. Heard both the parties and perused the case diary.
6. According to prosecution case, on the date of incident the victim of this case, who is aged about 12 years was allured by the applicants on the ground of providing her good food and then they confined her in their house for exploiting labour from her. Hence, this case.
7. After considering the entire material present in the case diary and the statement made by the complainant and affidavit filed along with this application, I feel inclined to allow the application of these applicants.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicants shall be released on regular bail on their furnishing a personal bond for a sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge