

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**Misc. Criminal Case No.4101 of 2019**

- Smt. Mamta Goswami W/o Shri Dhamendra Goswami Aged About 32 Years R/o Ramnagar, Tahsil And Police Station- Gudiyaari, Raipur, District- Raipur, Civil And Revenue District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through Police Station- Mouhdapara, Raipur, District- Raipur, Chhattisgarh.

---- Respondent

For Applicant : Shri Manoj Kumar Sinha, Advocate
 For respondent/State : Shri Raghavendra Verma, Govt.
 Advocate

Hon'ble Shri Justice Ram Prasanna Sharma
Order On Board

01.7.2019

1. This is first bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested on 24.3.2019 in connection with Crime No.79/2019 registered at Police Station Mouhdapara, Distt. Raipur (C.G.), for the offence punishable under Sections 317, 34 of the Indian Penal Code and under Sections 75, 80 & 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. As per the version of the prosecution, present applicant and other persons adopted a child without following proper procedure in accordance with law, which amounts to abandonment of the child.

3. Learned counsel for the applicant submits that allegation against present applicant is that she sold the newly born child to co-

accused persons Sanjay Ganatra and Bhupesh Makhiha. He further submits that the allegation levelled against the applicant is not made out, investigation is completed, charge sheet has been filed. He further submits that the applicant is in jail since 24.3.2019 and no further investigation is required, therefore, she may be released on bail.

4. On the contrary, learned State counsel opposes the application for grant of bail.

5. I have heard learned counsel for the parties and perused the case diary.

6. Taking into consideration the submission of learned counsel for the parties, nature of allegation and also considering the fact that the applicant is in jail since 24.3.2019, investigation is completed, charge sheet has been filed, I am inclined to release the applicant on bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on her furnishing a personal bond in sum of Rs. 20,000/- with one local surety in the like amount to the satisfaction of the concerned trial Court. She shall appear before the trial court regularly on each and every date, unless exempted from appearance.

Certified copy as per rules.

Sd/-
(Ram Prasanna Sharma)
JUDGE