

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4202 of 2019**

Vrindavati, W/o Santosh Giri Goswami, Aged About 65 Years, R/o Village Chakarada, Post Kendudhar, PS- Saraipali, District : Mahasamund, Chhattisgarh

---- Applicant**Versus**

State of Chhattisgarh, Through Police Station Basna, District : Mahasamund, Chhattisgarh

---- Respondent

For Applicant.	:	Shri Kishore Narayan, Advocate.
For Respondent/State	:	Shri Wasim Miyan, PL

Hon'ble Smt. Justice Rajani Dubey**Order on Board****12/09/2019**

1. The applicant has filed this *First bail application* under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is arrested in connection with Crime No.271/2018 registered at Police Station : Basna, District - Mahasamund (C.G.) for the offence punishable under Sections 363, 366 and 376/34 of the IPC and Sections 4 and 6 of the POCSO Act, 2012.
2. The prosecution story in brief is that on 10.07.2018 the mother of the prosecutrix made a complaint in the police station alleging in it that the applicant along with the other co-accused kidnapped her daughter, who is a minor girl, and the other co-accused Naveen Sahu has committed forcible sexual intercourse with the prosecutrix. The main allegation against the present applicant is that she enticed the

prosecutrix to run away with the main accused Naveen Sahu. Thereafter, the FIR was lodged by the complainant against the applicant.

3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He further submitted that the applicant is in jail since 12.07.2018, and there is no criminal antecedent against her, therefore, she may be released on bail.
4. On the other hand, State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Considering the totality of the facts and circumstances of the case and further considering the fact that the applicant is in custody since 12.07.2018 and she has no criminal antecedent, I am inclined to release the applicant on bail.
7. Accordingly, the 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. 25,000/- with one surety for the like amount to the satisfaction of the Trial Court for his appearance before the Trial Court as and when directed.

Sd/-
(Rajani Dubey)
Judge