

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6875 of 2019**

- Babita Sinha W/o Rupendra @ Rukendra Kumar Sinha Aged About 31 Years R/o Village Magarlota, P.S. Somani, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Office, Police Station City Kotwali, Durg, District- Durg, Chhattisgarh., District : Durg, Chhattisgarh

---- Respondent

 For Applicant : Shri Raghvendra Pradhan, Advocate
 For Respondent/State : Ms. Akshara Amit, P.L.

Hon'ble Smt. Justice Rajani Dubey
Order On Board

10.12.2019

1. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of regular bail as she is arrested in connection with Crime No.748/2019 registered at Police Station City Kotwali, Durg, District Durg (CG) for the offence punishable under Sections 363, 365, 364A, 120B, 34 of the IPC.
2. As per the case of prosecution the complainant lodged report that when his son- Maulik Sahu, aged about 4 years was going to School in the Tata Magic, the other accused persons kidnapped him and kept in the house of the present applicant.
3. Learned counsel for the applicant submits that the applicant is innocent and she has been falsely implicated in the present case. He further submits that

the applicant is a house wife, mother of two children and she has no concern with the crime. He further submits that the applicant is in custody since 22.8.2019 and trial will likely to take some time, therefore, the applicant may be released on bail.

4. On the other hand, counsel for the State as well as the complainant oppose the bail application.
5. I have heard learned counsel for the parties.
6. Considering the facts and circumstances of the case, particularly considering the nature of allegations against the applicant and the 4 years boy was kidnapped and kept in the house of the applicant, which prima facie shows involvement of the applicant, I am not inclined to release the applicant on bail.
7. Accordingly, the application filed under Section 439 Cr.P.C. is dismissed.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
JUDGE