

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 9170 of 2018**

Rani Miri, D/o Devnarayan Miri Aged About 18 Years R/o Mudapar,
Korba, District Korba Chhattisgarh. --- **Petitioner**

Versus

State of Chhattisgarh through the Station House Officer, Police
Station City Kotwali, Korba, District Korba Chhattisgarh. ---
Respondent

For the applicant	:	Mr. Awadh Tripathi, Advocate.
For the Respondent	:	Mr. Aditya Sharma, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri**Order on Board****04.01.2019**

1. This is first bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 589 of 2018 registered at Police Station City Kotwali, Korba (C.G) for the offences punishable under Sections 363, 328, 376, 34 of IPC and section 4 & 6 of the Protection of Children from Sexual Offences Act and Section 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
2. As per the prosecution case, a report was made by the mother of prosecutrix on 14.07.2018 that her daughter was taken away by the present applicant and others to a certain place, thereafter, she called two boys and one Sahil Jhangde subsequently committed rape whereas Junaid Khan went along-with the present applicant.
3. Learned counsel for the applicant submits that no allegations of subjecting the girl to rape by assisting the main accused is attributed to the present applicant, only it is alleged that

before the incident she was in the company of Juvenile and she had taken the victim along-with her and at the time of incident, she went away and subsequently the incident took place. It is further submitted that under the circumstances no offence is made out against the applicant. Learned counsel further submits that the charge sheet has been filed and the applicant is in jail since 16.08.2018, therefore, she may be enlarged on bail.

4. Per contra, learned State Counsel opposes the bail application.
 5. Perused the statements of victim under sections 161 & 164 of Cr.P.C.
 6. Considering the nature of allegations levelled against the applicant as also the fact that the charge sheet has been filed and she is stated to be in jail since 16.08.2018, I am inclined to allow this bail application.
 7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance before the said Court as and when directed.
- C.c. as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**