

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 9812 of 2018

- Nasim Bano @ Lata Sabar W/o Mohammad Yusuf Khan Aged About 48 Years R/o Ward No. 8, Khariyar Road, Thana Jok, Tahsil and District Nuapada Orissa

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, Police Station Bagbahara, District Mahasamund Chhattisgarh

---- Respondent

For Applicant	: Smt. Indira Tripathi, Advocate.
For Respondent/State	: Shri UKS Chandel, Panel Lawyer.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

10/01/2019

1. The Applicant has preferred this first bail application under Section 439 of Cr.P.C. for grant of regular bail as she is arrested in connection with crime No. 249/2018, registered at Police Station – Bagbahara, District- Mahasamund (C.G.) for the offence punishable under Section 370 of the IPC.
2. As per prosecution story, on 24.10.2018, on the basis of information received from an informant, police party searched the Railway Station Bagbehra, at the spot they have found several labourers. After inquiry from the said labourers, it came to know that the co-accused namely Mithun Kumar Yadav going to take them at Barabanki (U.P.) for working in the stone and brick oven by offering them extra money. Allegedly, present applicant was also involved in the same offence. On the basis of above, offence has been registered. The applicant has been taken in custody on 04.12.2018.
3. Learned Counsel appearing on behalf of the Applicant submits that the

Applicant is innocent and has been falsely implicated in the case, there is nothing on record on the basis of which any offence under Section 370 of IPC can be made out against the present Applicant. She further submits that the co-accused namely Mithun Kumar Yadav has already granted benefit of bail by this Court vide order dated 05.12.2018 passed in MCRC No. 8995/2018. The Applicant is in custody since 04.12.2018 and trial will take some time. Therefore, she may be released on bail.

4. Per contra, learned Counsel appearing on behalf of the State opposes the bail application.
5. I have heard learned Counsel for the parties and perused the case diary with due care.
6. Considering the facts and circumstances of the case, the evidence collected by the prosecution and further considering the fact that the co-accused namely Mithun Kumar Yadav has already granted benefit of bail by this Court, the Applicant is in custody since 04.12.2018 and trial will likely to take some time, without further commenting on merits of the case, I am inclined to release the Applicant on bail.
7. Accordingly, the bail 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. 20,000/- with one solvent surety for the like amount to the satisfaction of the Trial Court for her appearance before the said Court as and when directed.
9. Certified copy today.

Sd/-
(Arvind Singh Chandel)
Judge