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HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1727 of 2018

- Smt. Lalita Jaiswal W/o Devkant, Aged About 36 Years, R/o Mayapur, Chandini Chowk, Ps And Tahsil Ambikapur, District- Surguja, Chhattisgarh., District : Surguja (Ambikapur), Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through The Station House Officer, P.S. Ambikapur, Sadar, District- Surguja, Chhattisgaarh., District : Surguja (Ambikapur), Chhattisgarh

---- Non-applicant

For Applicant – Shri Jitendra Shrivastava, Advocate.

For Non-applicant/State – Shri Mahesh Mishra, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

15-02-2019

1. Apprehending arrest in connection with Crime No.645/2018, registered at Police Station Ambikapur, District Surguja, Chhattisgarh for offence punishable under Section 376क, 376ख, 376(2)(द), 34 of the IPC and Section 5 उ &/6, 17 of POCSO Act, 2012 and 5-1 of the Immoral Traffic (Prevention) Act, 1956, the applicant has preferred this application for grant of anticipatory bail.
2. Heard on the application for grant of Interim bail.
3. Without making any submission on merits, it is submitted that the applicant is suffering from cancer of cervix and regarding which she is regularly undergoing treatment in Christian Medical College Hospital, Vellore and Appolo Medical Center, Balco. Therefore, temporary anticipatory bail be granted to the applicant for a period of 45 days.
4. Learned counsel for the State/non-applicant opposes the application and submits that allegations against this applicant are of very serious nature that she has been a person who had involved the minor girl to the prostitution. Therefore, the application may be rejected.
5. After due consideration, without considering the case on merits only on

the ground that the applicant is a cancer patient, I feel inclined to grant Ad-interim anticipatory bail to this applicant.

6. Accordingly, the application for interim bail is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, she shall be released on interim bail for a period of 45 days by the officer arresting her on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. After expiry of aforesaid period the police shall be at liberty to arrest this applicant.

7. With this, the MCRCA is disposed off.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge