

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 513 of 2020

- Smt. Vridhi Manwani, W/o Mr. Sunny Manwani, Aged About 28 Years, R/o Housing Board Colony, LIG 176, Sector-2, Saddu P.S. Vidhansabha, Raipur, Chhattisgarh Present Address V. V. R. Mowa, Gali No. 9, H. No. 3, P. S. Mowa, Raipur, District- Raipur, Chhattisgarh.

---- Applicant

Versus

- State of Chhattisgarh Through The Station House Officer, Police Station Vidhansabha, District-Raipur, Chhattisgarh.

---- Respondent

For Applicant	:	Mr. Tarendra Kumar Jha, Advocate.
For Respondent/State	:	Mr. Sudhir Sahu, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

11/02/2020

1. This is the third bail application filed by the applicant under Section 439 of the Code of Criminal Procedure, 1973. His first application MCRC No.3993/2019 vide order dated 1.7..2019 was dismissed as withdrawn and his second application MCRC No.6308/2019 vide order dated 29.11.2019 was dismissed for want of prosecution.
2. This bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.212/2019 registered at Police Station–Vidhansabha, Raipur, District–Raipur(C.G.) for the offence punishable under Sections 366, 366, 376(3), 370, 370(1) 34 of IPC and Section 6 of POCSO Act, 2012.
3. It is submitted by the learned counsel for the applicant that the applicant is innocent and has been falsely implicated in this case. The

applicant is a woman and she has a child of 1½ years. Similarly placed one co-accused Amit Swarnkar has been granted bail by the co-ordinate Bench of this Court mentioning the reason, that the main witness prosecutrix in this case has turned hostile in the trial, hence, it is prayed that the applicant be granted regular bail.

4. Learned State counsel opposes the application and submissions made in this respect. It is submitted there are clear allegations against the applicant regarding the commission of offences by her and that she was the organizer of the whole crime, therefore, she is not entitled for grant of regular bail.
5. I have heard the learned counsel for the parties and perused the case diary and the documents placed on record.
6. According to prosecution case, this applicant gave shelter to the prosecutrix in her house and while her stay she called various boys to her house and used to force the minor prosecutrix to have physical relation with them. Hence, FIR has been lodged.
7. After considering the entire material present in the case diary and the trial in the case is proceeded and as it is mentioned in the order dated 19.12.2019 of co-ordinate Bench in MCRC No.6912/2019 that the prosecutrix has turned hostile and she appears only main witness in this case also considering that the applicant is woman, I am of this view that this is a fit case where the application filed by the applicant deserves to be allowed.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. are allowed. It is directed that applicants shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court,

for his appearance as and when directed.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Nisha