

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 1892 of 2020

- Bhojkumari Jagat D/o Mohar Sai Jagat Aged About 19 Years R/o Village Arekel P. S. Basna, District Mahasamund Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Station Basna, Civil And Revenue, District Mahasamund Chhattisgarh

---- Non-applicant

For Applicant : Mr. Yogeshwar Sharma, Advocate.
For Non-applicant/State : Mr. Animesh Tiwari, Dy.A.G.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

03-06-2020

Heard.

1. Heard on the application filed under Section 439 of the Cr.P.C. This is first bail application before this Court filed by the applicant for grant of regular bail. The applicant has been arrested on 06.11.2019 in connection with Crime No.517/2019, registered at Police Station– Basna, Civil & Revenu, District- Mahasamund, Chhattisgarh, for offence punishable under Sections 363, 368 and 365 of I.P.C. and Section 6 of POCSO Act, 2012.
2. It is submitted by learned counsel for the applicant that applicant is in jail since 06.11.2019. No case is made out against this applicant and this applicant has not committed any kind of offence. The victim of this case has made totally false allegation, on the contrary, he is the person himself, who has exploited this applicant. The applicant is in jail since 06.11.2019. Hence, it is prayed that she may be granted bail.
3. Learned counsel for the State/non-applicant opposes the application and submits that looking to the statement given by the victim, this

applicant has no entitlement for grant of bail.

4. Heard learned counsel for the parties and perused the case diary.
5. According to the prosecution case, this applicant on getting acquainted with the male victim started having conversation on mobile phone. Thereafter, she threatened the victim to submit to her wishes because of which the victim had physical relation with this applicant. When the relation between the applicant and the victim were disclosed, this F.I.R. has been lodged against this applicant. Hence, this case.
6. After considering the facts and circumstances of this case, I am of this view that this is a fit case for grant of bail to the applicant.
7. Consequently, this application filed by the applicant under Section 439 of the Cr.P.C. for grant of regular bail is hereby allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for her appearance as and when directed.
8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Monika