

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2539 of 2020

- Ankita @ Marry Masih, aged about 25 years, D/o Late Ramesh Masih, resident of M.I.G.-01, 318, Hudko, Bhilai, The. & Dist.-Durg C.G.

---- Applicant (in Jail)

Versus

- State Of Chattisgarh Through: The Police Station Mohan Nagar, Durg.

---- Respondent

For Applicant	:	Shri Raja Ali, Advocate.
For Respondent/State	:	Shri H. S. Ahluwalia, Dy. A.G.

Hon'ble Shri Gautam Chourdiya, J
Order in Chamber

12/05/2020

1. The applicant has preferred this application under Section 439 of Cr.P.C. as she is in jail since 21.01.2020 (wrongly mentioned as 22.01.2020) in connection with Crime No. 09/2020 registered in Police Station- Mohan Nagar, Durg (CG) for the offence punishable under Sections 420, 467, 468, 471, 34 and 201 of IPC.

2. Allegation against the applicant is that the complainant namely Mohan applied in marriage Bureau to get the bride and has also deposited the sum of Rs. 28,000/-, however as the complainant has not been served as per demand, the offence has been registered against the applicant.

3. Learned counsel for the applicant submits that the applicant is an innocent person and has been falsely implicated in this crime. He also submits that the applicant has not received any amount from the complainant as per the prosecution case itself. In fact it is the main accused persons- Rubeena Siddique and Kishore Sahu who had taken

money from the complainant and had assured him to provide bribe. In this case chargesheet has already been filed, the applicant is languishing in jail since 21.01.2020 (wrongly mentioned as 22.01.2020), and conclusion of trial is likely to take some time. Therefore, it is prayed to released her on bail.

4. On the other hand, learned counsel for the State opposes the bail application.

5. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the nature of dispute, the detention period of the applicant and the fact that conclusion of trial may take some time, **the application is allowed**. It is directed that in the event of applicant executing a personal bond for a sum of Rs.25,000/- with two sureties for the like amount to the satisfaction of the concerned Trial Court, she shall be released on bail. She is directed to appear before the trial Court on each and every date given to her by the said Court, till disposal of the trial.

6. It is made clear that the applicant shall not involve herself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to the Bench.

Sd/-

(Gautam Chourdiya)
Judge