

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4540 of 2020**

- Smt. Pooja Sinha, W/o Shri Vikrant Sinha, Aged About 27 Years, R/o 112 ward, Thethwarpara Navapara, Police Station Pulgaon, District Durg (C.G.). Present Address:- Moti Nagar, Boriakhurd, P.S. Tikrapara, Distt.- Raipur (C.G.).

---- Applicant**Versus**

- State of Chhattisgarh, through Police Station Abhanpur, District Raipur (C.G.).

---- Respondent

For Applicant	: Mr. Pragalbha Sharma, Adv.
For Respondent/State	: Mr. H.S. Ahluwalia, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****02.09.2020**

1. The accused/applicant has moved this first bail application under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 241/2020 registered at Police Station- Abhanpur, District Raipur (C.G.) for the offence punishable under Sections 363, 365, 34 of I.P.C.
2. The prosecution story, in brief is that, on 20.06.2020, complainant namely Radheshyam Dhewar lodged a report alleging that his infant has been kidnapped. Based on this, offence has been registered against the present applicant and she has been taken into custody.
3. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in

question. He further submits that the charge-sheet has been filed and the offence is triable by the Judicial Magistrate First Class. The applicant is in jail since 21.06.2020, there is no likelihood of her case being decided in near future, therefore, the present applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application. It is stated that the infant has been recovered from the possession of the present applicant and she has also been identified by the mother of the infant. Therefore, present applicant may not be enlarged on bail.
5. I have heard learned counsel for the parties and perused the case diary.
6. Taking into consideration the nature and gravity of the offence, facts and circumstances of the case, and further considering the facts that the charge-sheet has been filed and the offence is triable by the Judicial Magistrate First Class. The applicant is in jail since 21.06.2020 and the trial is likely to take some time for its final disposal, this Court is of the view that it is a fit case to release the applicant on bail. Accordingly, the application is allowed.
7. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 25,000/-, with one local surety in the like sum to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given to her by the said Court.

**Sd/-
(Rajani Dubey)
Judge**