

NAFR**HIGH COURT OF CHHATTISGARH, BILASPUR****MCRC No. 5245 of 2020**

- Pramila Toppo W/o Hemant Toppo aged about 30 years, Caste-uraon, R/o Village-Mahowadand-Mahowatoli, Police Station-Mahowadand, District-Latehar, Jharkhand.

---- Applicant**Versus**

- State Of Chhattisgarh, Through- The Station House Officer, Police Station- City Kotwali, Jashpur, District- Jashpur, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Sanjeev Kumar Sahu, Adv.
For Respondent/State	: Ms. Sunita Jain, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****22/09/2020**

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. 33/2020 registered at Police Station-City Kotwali, Jashpur, District - Jashpur (C.G.) for the offence punishable under Sections 417, 365 and 201 of the IPC.
2. The prosecution story, in brief is that, complainant lodged a written complaint that on 02.02.2020, the complainant was admitted in the district hospital, Jashpur for her treatment. On 05.02.2020 the complainant delivered a boy child. And on the date of incident 11.02.2020 at about 12:30 O'clock an unknown woman has come near his bed and took her child in her lap. At the time of incident victim and her husband went for bank work etc. after returned in the hospital the boy child was missed at his place. Based on this, offence has been registered against the present applicant.
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 there is no previous criminal antecedents of the applicant, she is a 30 years aged lady and she is in jail since 13.02.2020, there is no likelihood of his 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 and submits that the allegation against the present applicant is serious, in nature, therefore, no case is made out for grant of 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, detention period of applicant and further considering the facts that the applicant is a 30 years aged lady and she is in jail since 13.02.2020 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**