

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 1548 of 2019

Bimla Bai Verma W/o Kumar Verma Aged About 55 Years R/o Village Navapara, Police Station Saja, District Bemetara, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer Saja, District Bemetara, Chhattisgarh.

---- Respondent

For Applicant	: Mr. Krishna Tandon, Advocate.
For Respondent/State	: Ms. Smita Ghai, P.L.

Hon'ble Shri Justice Arvind Singh Chandel
Order On Board

02/01/2020

1. The applicant has filed this bail application for grant of anticipatory bail under Section 438 of the Cr.P.C. as he is apprehending his arrest in connection with crime no. 202/2019, registered at Police Station: Saja, District-Bemetara (C.G.) for the offence punishable under Section 363, 366, 376, 313, 506, 323/34 of IPC.
2. In this case the present Applicant is the mother of the co-accused Ravi Kumar Verma and the age of the prosecutrix at that relevant time was about 17 years. As per the prosecution story, on 22.05.2019 father of the prosecutrix lodged a written complaint alleging therein that in the month of May 2017, the co-accused Ravi Kumar Verma on the pretext of marriage ran away with the prosecutrix and kept her in his house for two years and committed sexual intercourse with her. Allegations against the present Applicant is that on 13.05.2019 the present Applicant along with the co-accused thrown out the prosecutrix from her house after doing the abortion of her child. On the basis of said, offence has been registered.
3. Learned counsel appearing on behalf of the applicant submits that the applicant is falsely implicated in the present case. He submits that virtually there was a love relationship between the co-accused and the prosecutrix due to which prosecutrix herself left her house and resided with the co-

accused with her own will. He further submits that both the co-accused and prosecutrix performed marriage and were living together with the present Applicant and presently also the prosecutrix is living with them. He lastly submits that there is no specific allegations against the present Applicant therefore, he prays for grant of anticipatory bail to the Applicant.

4. Per contra, learned counsel appearing on behalf of State opposes the bail application.
5. I have heard learned Counsel for the parties.
6. Considering the facts and circumstances of the case, arguments advanced by the counsel for the Applicant and further considering the fact that prosecutrix herself performed marriage with the co-accused Ravi Kumar Verma and she is present before this Court today and she admitted the fact that she is residing in the house of the present Applicant and the co-accused, without further commenting on other merits of the case, in my considered opinion, it is a fit case for grant anticipatory bail to the applicant.
7. Accordingly, the anticipatory bail application is allowed.
8. It is directed that in the event of arrest, the applicant shall be released on bail on furnishing a personal bond in the sum of Rs. 25,000/- with one surety for the like sum to the satisfaction of the officer arresting him and he shall abide by all the following terms and conditions:-
 - I. That the accused/applicant shall made himself available for interrogation before the concerned Investigating Officer as and when required;
 - II. The accused/applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
 - III. The accused/applicant shall not act, in any manner which will be prejudicial to fair and expeditious trial; and
 - IV. The applicant shall appear before the Trial Court on each and every date given to him by the said Court till disposal of the trial.

Sd/-

(Arvind Singh Chandel)
Judge