

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8163 of 2019**

- Nirbai W/o Paras Ram Sahu Aged About 39 Years R/o Village Teligundra, Police Station Ranitarai, District Durg Chhattisgarh., District : Durg, Chhattisgarh

---- Applicant**Versus**

- State Of Chhattisgarh Through Station House Officer, Police Station Ranchirai, Civil And Revenue District Balod Chhattisgarh., District : Balod, Chhattisgarh

---- Respondent

For Applicant	:	Shri S.K. Agrawal, Advocate.
For Respondent	:	Shri Sameer Sharma, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****03/01/2020**

1. The accused/applicant has moved this first bail application under Section 439 of the Code of Criminal Procedure for releasing her on regular bail during trial in connection with Crime No.63/2019 registered at Police Station – Ranchirai, District Balod(C.G.) for the offence punishable under Sections 363, 376, 313, 294, 323 of the IPC and Section 5(L)/6 of the Protection of Children from Sexual Offences Act, 2012.
2. It is the case of the prosecution that the prosecutrix lodged a report that the applicant and other co-accused have committed offence of sexual assault against her.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question and main allegations are against the co-accused, who is son of the applicant. He submits that as the applicant is in custody since

08.10.2019 and the trial is likely to take some time for its final disposal, she may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. Considering the facts and circumstances of the case, in particular main allegations are against the co-accused; the detention period of the applicant and charge sheet has been filed, I am of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
6. Accordingly, the application filed under Section 439 Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on her furnishing a personal bond in sum of Rs.25,000/- with one surety in like sum to the satisfaction of the concerned trial Court for her appearance before the said Court as and when directed till the disposal of the trial.
8. Certified copy, as per rules.

Sd/

(Rajani Dubey)
Judge