

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 8271 of 2019**

- Savita, W/o Bhisham Kumar, Aged About 27 Years, R/o Vijatola, Post Relwahi, Ward No. 12, P.S.- Birsa, District- Balaghat (M.P.).

---- Applicant**Versus**

- State of Chhattisgarh, Through: Station House Officer, Police Station- Gandai Civil and Revenue District- Rajnandgaon, (C.G.).

---- Respondent

For Applicant	: Mr. Pushpendra Kumar Patel, Adv.
For Respondent/State	: Ms. Reena Singh, PL.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****06.02.2020**

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. 306/2019 registered at Police Station- Gandai Civil and Revenue, District- Rajnandgaon, (C.G.) for the offence punishable under Sections 3, 4 & 5 of Immoral Traffic (Prevention) Act 1956.
2. Earlier, the applicant was granted bail by this Court vide order dated 29.08.2018 in MCRC No. 5787/2018 and she is directed to appear before the trial Court on each and every date given by the said court. But the applicant could not appear before the trial Court on the date of appearance which was given to her, therefore, the bail granted to her was cancelled and she has been arrested on 05.12.2019.
3. Learned counsel for the applicant submits that the applicant has not committed any offence and due to some bona fide reason she could not appear before the trial Court. He further submits that now the applicant is in jail since 05.12.2019 and trial may take some

time for its final disposal therefore, the applicant may be released on bail.

4. On the other hand, counsel for the State opposes the bail application.
5. I have heard learned counsel for the parties and perused the material available on record.
6. Considering the facts and circumstances of the case, particularly considering that the applicant was earlier granted benefit of bail and due to some bona fide reasons she could not appear before the trial Court, and now she is in jail since 05.12.2019, I am of the opinion that present is a fit case to release the applicant on bail.
7. Accordingly, the bail application filed under Section 439 Cr.P.C. is allowed.
8. Accused/applicant is directed to be released on bail on her executing a personal bond in the sum of Rs. 10,000/-, with one local solvent surety in the like sum to the satisfaction of the trial Court for her appearance before the said Court as and when directed till the disposal of the trial.
9. The trial Court is free to forfeit the previous personal bonds of the applicant as per its discretion.

Sd/-
(Rajani Dubey)
Judge