

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 222 of 2021**

Smt. Heena Sonkar W/o Sachin Prasad Keshri Aged About 29
Years R/o Ward No. 33, Sonkar Mohalla, Dayalband Chowk,
P.S. City Kotwali, District Bilaspur (Chhattisgarh)

---- Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police
Station - City Kotwali, Bilaspur, District Bilaspur Chhattisgarh.

---- Non-applicant

For Applicant : Shri Harshwardhan Jaiswal, Advocate
For Non-applicant/State : Shri Shrikant Kaushik, Panel Lawyer

(Proceedings through Video Conferencing)
Hon'ble Shri Justice Parth Prateem Sahu
Order on Board

12.07.2021

1. The applicant has preferred this first bail application under Section 438 of the Cr.P.C. for grant of anticipatory bail, as she is apprehending his arrest in connection with Crime No. 167 of 2017 registered at Police Station City Kotwali, District Bilaspur, C.G., for offence punishable under Sections 363, 366, 34 of Indian Penal Code and Section 16 (2) of POSCO Act.
2. Case of the prosecution is that on 29.04.2017, mother of girl child lodged a report stating therein that on 28.04.2017 in the night her child was missing, suspicion has been raised upon the present applicant (tenant of complainant) who also left the house of complainant on the same day. On the basis of complaint made by Smt. Sagar Yadav, present applicant has been made accused in

the instant crime. The girl child returned back to her house on 22.05.2017. She was taken to the police station, based upon which, *Baramadgi Panchnama* was prepared and her statement under Section 161 of Cr.P.C. has been recorded.

3. Shri Harshwardhan Jaiswal, learned counsel for the applicant submits that present applicant has not committed any offence as alleged against her. He further submits that applicant is having 1½ years of child with her, hence, she may be enlarged on anticipatory bail.
4. Per contra, Shri Shrikant Kaushik, Panel Lawyer for the State vehemently opposes the bail application and read over the statement of the girl child recorded under Sections 161 and 164 of Cr.P.C. He submits that she has made specific allegation against the present applicant of her kidnapping and abduction from her house and thereafter, girl child has been left to Delhi and present applicant fled away along with her husband to some other place, hence, she is not entitled for anticipatory bail.
5. I have heard learned counsel for the respective parties.
6. Taking into consideration the nature of allegation levelled against the present applicant by the victim in her statement recorded under Sections 161 and 164 of Cr.P.C., I do not find it to be a fit case to enlarge the applicant on anticipatory bail.
7. Accordingly, anticipatory bail application is dismissed.

Sd/-
(Parth Prateem Sahu)
Judge