

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 1672 of 2021**

- Sunita Shrivastava @ Kajal W/o Dipak Shrivastava, Aged About 37 Years, R/o Uslapur, Police Station Sakri Tahsil - Bilaspur, District - Bilaspur, Chhattisgarh.

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Ms. Soniya Kuldeep, Adv.
For Respondent/State	:	Mr. Vimlesh Bajpai, G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****21/06/2021**

The matter is heard through video conferencing.

Heard.

Admit.

1. Pursuance to order dated 10.06.2021 of this Court, prosecutrix is present through video conferencing today. On being asked, she has not made her objection regarding grant of bail to the applicant.
2. Her presence be marked.
3. The accused/applicant has moved this **third bail** application under Section 439 of Criminal Procedure Code for releasing her on regular bail during trial in connection with Crime No. 419/2019 registered at Police Station - City Kotwali, Mungeli, District-Mungeli (C.G.) for the offence punishable under Sections 373, 376, 506/34 of the IPC, 4, 6 of Protection of Children from Sexual Offences Act and 3(2)(v) of Scheduled Caste & Scheduled Tribe (Prevention of Atrocities) Act.
4. The second bail application of the applicant was dismissed by this Court on 14.08.2020 in MCRC No. 3017/2020.

5. The prosecution story, in brief is that on 27.06.2019, the prosecutrix has alleged that two years prior to the lodging of the report, when she was residing with her friend, she came in contact with the co-accused namely Deepak Dhameecha who developed physical relation with her. It is also alleged that said Deepak Dhameecha and his wife were involved in the sex racket. Present applicant has been taken into custody on 30.06.2019.
6. Learned counsel for the applicant submits that the applicant is innocent and has been falsely implicated in the crime in question. She further submits that the prosecutrix has been examined before the trial Court, who has not made any specific allegation against the present applicant. She next submits that the applicant is in jail since 30.06.2019, there is no likelihood of her case being decided in near future, therefore, the present appellant may be released on bail.
7. On the other hand, learned counsel for the State opposing the bail application and submits that in her deposition prosecutrix stated about the present applicant in para-2 and para-6 which shows applicant's involvement in the case. Thus, it is not a fit case where applicant may be released on bail.
8. I have heard learned counsel for the parties and perused the case diary.
9. Considering the facts and circumstances of the case, gravity of offence, and further considering the quality of evidence in question, at this stage, I am not inclined to release her on bail.
10. Accordingly, her application filed under Section 439 of the Code of Criminal Procedure is rejected. However, the trial Court is directed to expedite the trial and conclude the same as early as possible, preferably within a period of six months from the date of receipt of copy of this order.

Sd/-
(Rajani Dubey)
Judge