

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 6216 of 2021**

- Rukhmani Anand, W/o Late Bihari, Anand Aged About 55 Years, R/o Village Rohrakhurd, Post Geedha, P.S. City Kotwali, Mungeli, District Mungeli (C.G.) At Present R/o Raipur, Puraina, Telibandha, District : Raipur, Chhattisgarh

---- Applicant**Versus**

- State of Chhattisgarh Through The Station House Officer, Police Station City Kotwali, Mungeli, District : Mungeli, Chhattisgarh.

---- Respondent

For Applicant : Mr. Achyut Tiwari, Advocate.

For State/respondent : Mr. Ajay Kumrani, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**Order On Board****28/09/2021**

Heard.

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 on behalf of the applicant for grant of regular bail to her as she is in custody in connection with Crime No.363/2021 registered at Police-Station-City Kotwali, Mungeli, District-Mungeli, Chhattisgarh for the offence punishable under Sections 363, 366, 376 of IPC and Section 4 & 6 of POCSO Act, 2012.
2. It is submitted by the learned counsel for the applicant, that the applicant has been falsely implicated in this case. She is in jail since 23.07.2021. The allegation of rape is against the co-accused Raju. The applicant being the mother of the co-accused has been falsely implicated in this case, hence, it is prayed that this applicant may be

enlarged on regular bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. The prosecutrix and her father had virtually appeared before this Court through the 'Help Desk' of DLSA Mungeli on 21.9.2021. They had objection in grant of bail to the applicant.
5. I have heard the learned counsel for both the parties and perused the case diary.
6. As per prosecution case, it is alleged that co-accused Raju abducted the minor prosecutrix took her to his house and exploited her sexually. This applicant happens to be the mother of the co-accused and she resides in the same house, hence, there is allegation against this applicant regarding giving assistance in the crime committed by the co-accused person.
7. Considered on the submissions. Looking to allegation present against this applicant and that she is a woman, I feel inclined to allow the application of this applicant.
8. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on her furnishing a personal bond for a sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for her appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge