

HIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7237 of 2021

1. Pramila Yadav Wife Of Suresh Yadav Aged About 53 Years (Address And Age Wrongly Mentioned 45 In Order) R/o. Amanaka, (Pandit Ravishankar University), Raipur, P.S. Saraswati Nagar District Raipur (Chhattisgarh)

---- Applicant

Versus

1. State Of Chhattisgarh Through The Station House Officer, Police Of Police Station Bagbahara, District Mahasamund (Chhattisgarh)

---- Respondent

For Applicant	Mr. Shikhar Sharma, Advocate
For Respondent /State	Mr. Animesh Tiwari, Dy. Adv. Gen.
For Objector	Mr. Dashrath Prajapati, Advocate

Order on BoardByHon'ble Shri Justice Goutam Bhaduri10/12/2021

1. Heard.
2. The applicant has preferred this first bail application under Section 439 of the Cr.P.C. for grant of bail as she has been arrested in connection with Crime No.138/2021, registered at Police Station Bagbahara, District Mahasamund (CG), for the offence under Sections 363, 366, 368, 376(2)(n) of the Indian Penal Code and Section 6 of the POCSO Act.
3. As per the prosecution case, the father of the prosecutrix lodged a report on 27-6-2021 that the prosecutrix is missing. Subsequently,

she was found in the custody of the co-accused Govind Nishad. Allegation against the present applicant is that she has given protection to Govind and the prosecutrix to stay in their house.

4. Learned counsel for the applicant would submit that the prosecutrix has been examined before the Court below and she has completely disowned even the identity of the applicant to recognise. In view of this no offence is made out against the applicant and, in fact, she has been arrested only on presumption. Thus, the applicant may be enlarged on bail.
5. Learned counsel for the State, per contra, would oppose the bail application.
6. Considering the entire facts situation of the case, particularly considering the statement of the prosecutrix and further considering the nature of allegation against the present applicant, as also for the fact that the applicant is in jail since 31-8-2021 and the charge sheet has already been filed, I am of the opinion that present is a fit case to release the applicant on regular bail.
7. Accordingly, the bail application is allowed and the applicant is directed to be released on bail on her executing a personal bond for a sum of Rs.25,000/- with one surety in the like amount to the satisfaction of the trial Court. She is directed to appear before the trial Court on each and every date given by the said Court.
8. Certified copy as per rules.

Sd/-

(Goutam Bhaduri)
Judge

Gowri