

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRCA No. 1806 of 2020**

- Ku. Pushpa Ekka, D/o Amarsaay Ekka, aged about 31 Years, R/o Female Constable No. 2818, Police Line Raipur, District Raipur, Thana City Kotwali, Distt.- Raipur, Chhattisgarh.

----Applicant

Versus

- State of Chhattisgarh, Through- Station House Officer, Police Station Dabra, District- Janjgir-Champa, Chhattisgarh.

----Non-applicant

For Applicant	Shri Sumit Singh Rathore, Advocate.
For State	Shri Ghanshayam Patel, G.A.
For Objector	None.

Hon'ble Shri Justice Gautam Chourdiya**Order on Board****12/05/2021**

1. The matter is heard through Video Conferencing.
2. The applicant has preferred this first bail application under Section 438 of Cr.P.C. as she is apprehending her arrest in connection with Crime No. 292/2019 registered at Police Station Dabra, District Janjgir-Champa, C.G. for the offence punishable under Section 384 of Indian Penal Code.
3. Allegation against the present applicant is she forcibly established physical relations with the complainant- Shiva Sahay and thereafter on the threat of implicating him in a false case extorted Rs.2,50,000/- as also jewellery worth Rs.2,00,000/-.

4. Learned counsel for the applicant submits that applicant is an innocent person and has been falsely implicated in this case. He submits that the allegation against the present applicant is false and baseless and due to COVID-19 pandemic, conclusion of trial is likely to take some time. Therefore, it is prayed that applicant may be granted anticipatory bail.
5. Learned Counsel appearing for the State opposes the bail application.
6. I have heard learned counsel for the parties.
7. Considering the facts and circumstances of the case, the age of the applicant i.e. 31 years, who is a lady, the nature of dispute between the parties, the fact that the offence is triable by the Magistrate, there is no apprehension of the applicant absconding or tampering with or influencing the witnesses and due to COVID-19 pandemic, conclusion of the trial is likely to take some time, without commenting anything on merits of the case, this Court is of the opinion that present is a fit case for granting anticipatory bail to the applicant. Accordingly, the application is allowed.
8. It is directed that in the event of arrest of the applicant in connection with the aforesaid crime, she shall be released on bail by the Arresting Officer on her furnishing a personal bond for a sum of Rs.50,000/- with two sureties of Rs.25,000/- each to the satisfaction of the Arresting Officer. Applicant shall be released on bail on the following conditions:-

- (i) she shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such fact to the Court,
- (ii) she shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- (iii) she shall appear before the trial Court on each and every date given to her by the said Court till disposal of the trial.
- (iv) she shall not involve herself in any offence of similar nature in future or else this order granting bail to the applicant shall automatically stand cancelled without further reference to this Court.

Sd/-
(Gautam Chourdiya)
Vacation Judge