
(2018) 02 CHH CK 0192

Chhattisgarh High Court

Case No: Miscellaneous Criminal Case (MCRC) No. 8121 Of 2017

Jyoti Verma

APPELLANT

Vs

State Of Chhattisgarh
And Ors

RESPONDENT

Date of Decision: Feb. 9, 2018

Acts Referred:

- Indian Penal Code, 1860 - Section 34, 363, 366A, 376
- Code Of Criminal Procedure, 1973 - Section 439
- Protection Of Children From Sexual Offences Act, 2012 - Section 5, 6

Hon'ble Judges: Prashant Kumar Mishra, J

Bench: Single Bench

Advocate: Arvind Shrivastava, Arvind Dubey

Final Decision: Allowed

Judgement

Prashant Kumar Mishra, J

1. Heard.

2. The applicant has preferred this application filed under Section 439 of the Cr.P.C. for grant of regular bail as he is arrested in connection with crime

No.313/2017 registered in Police Station Jamul, Dist. Durg (CG) for the offence punishable under Sections 363, 366(a) & 376/34 of the Indian Penal

Code and Section 5 read with Section 6 of the Protection of Children from Sexual Offences Act, 2012.

3. It appears the prosecutrix had initially an affair with the applicant's son Ritesh, who happens to be a juvenile. On the date of incident one Mukund

was waiting outside the house of the prosecutrix with whom the prosecutrix came to Jamul, District Durg (Chhattisgarh) and there from the present

applicant, her daughter and the prosecutrix went to Begusarai (Bihar). It is, thus, alleged by the prosecution that it is the applicant who was

instrumental in abducting the prosecutrix whereas, as per the applicant's counsel, the prosecutrix came to the applicant's house on her own and

thereafter, as planned between the prosecutrix and Ritesh, they went to Begusarai (Bihar) where the marriage was performed.

4. Considering the fact that Ritesh, being juvenile, has already been released on bail and further considering the fact that the applicant, a lady aged

about 34 years, is in jail since 28-6-2017, this Court is inclined to release her on bail. Accordingly, the 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 for 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.