

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3892 of 2016

- Mohan Patel S/O Santram Patel Aged About 41 Years R/O Ward No. 6, Rajapara, Sarangarh, Thana Sarangarh Distt. Raigarh Chhattisgarh At Present R/O Kabir Nagar, Raipur, Civil & Rev. Distt. Raipur Chhattisgarh.

----Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Tikrapara, Raipur Distt. Raipur Chhattisgarh.

---- Respondent

For Applicant : Ms. Sharmila Singhai, Advocate

For Respondent/State : Mr. Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

19.07.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 30-04-2016 in connection with Crime No. 162 of 2016, registered at Police Station Tikrapara, Raipur (CG) for the offence punishable under Sections 3, 4, 5, 7 & 8 of the Prevention of Immoral Trafficking Act 1956 (for short, "the Act, 1956).
2. As per prosecution case, on 30-04-2016, on information being received that in the house of Dilip Kumar Manikpuri, business of prostitution is being carried on, a raid was conducted in the house wherein two ladies along with other persons were found in objectionable condition and thereby the aforesaid offence was committed.

3. Learned counsel appearing for the applicant would submit that no allegations have been attributed to the applicant, the applicant was working in the Beauty Parlour and the applicant has been falsely implicated. He would further submit that charge-sheet has been filed in this case, he is in jail since 30-04-2016 and no further evidence is required, therefore, he may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. I have heard learned counsel for the parties and have also perused the case diary and the documents from which it appears that the applicant was caught red-handed when the raid was made in the house.
6. Taking into consideration the facts and circumstances of the case, nature of offence and larger ramification in the society and its impact, the manner in which the offence has been committed, I am not inclined to release the applicant on bail. Therefore, at this stage, whether the case would fall under Section 7 of the Act, 1956 is to be adjudicated during trial.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is liable to be and is hereby dismissed. However, the trial Court is directed to expedite the trial.

Sd/-
(Goutam Bhaduri)
Judge

Raju