

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C. No. 1485 OF 2016

Rajkumari W/o Hakim aged about 28 years resident of Kashinagar Budhwari Korba Tahsil and District Korba District Korba C.G.

---Applicant

Versus

State of Chhattisgarh, Through its Police Station Rampur Kotwali Civil and Revenue District Korba C.G.

---Non-applicant

And

M.Cr.C. No. 1745 OF 2016

Dilip Kumar Jaiswal son of late Jhaduram Jaiswal aged about 45 years R/o village Purani Basti Ghandhi Bhawan Akaltara P.S. Akaltara District Janjgir-Champa C.G. At present M.P. Nagar Atal Awas House No.8 & 9 Chowki Rampur Police Kotwali Korba Tahsil and District Korba C.G.

---Applicant

Versus

State of Chhattisgarh through the District Magistrate Korba C.G.

---Non-applicant

For Applicants	: Shri Ravi Maheshwari and Shri N.K. Chatterjee, Advocates
For Non-applicant	: Shri Neeraj Kumar Sharma, Dy. G.A.

Hon'ble Shri Justice Sanjay K. Agrawal**Order on Board****04/04/2016**

1. Above mentioned two bail applications arise out of a common Crime No. 43/2016, registered at Police Station Rampur Kotwali Civil and Revenue District Korba (C.G.), for the offence punishable under Sections 3, 4 & 5 of Immoral Traffic (Prevention) Act, 1956, therefore, they are being heard analogously and decided by this common order. All the two are first bail applications filed under Section 439 of the Cr.P.C.
2. Case of the prosecution, in brief, is that, applicant- Dilip Kumar Jaiswal allowed his premises to be used as brothel and applicant- Rajkumari is said to be involved in the prostitution.
3. Learned counsel for the applicants would submit that applicants have not committed any offence and have been falsely implicated in the offence in question. He would further submit that substantial investigation has been completed and no useful purpose would be served

by keeping them in jail. He would lastly submit that charge sheet has been filed and applicants are in jail since 09/02/2016 & 12/02/2016 respectively, therefore, they may be released on bail.

4. Learned counsel for the State would oppose the prayer for grant of bail.

5. I have heard learned counsel appearing for the parties and perused the case diary.

6. Taking into consideration the facts and circumstances of the case and further taking into consideration the nature and gravity of offence, role of the applicants, pretrial detention of the applicants and charge sheet has already been filed, this Court is of the opinion that present is the fit case, in which, the applicants should be enlarged on regular bail.

7. Accordingly, the bail applications (M.Cr.C. Nos. 1485/2016 & 1745/2016) filed under Section 439 of the Code of Criminal Procedure are allowed.

8. It is directed that applicants namely, Rajkumari

and Dilip Kumar Jaiswal shall be released on bail on their furnishing a personal bond in the sum of **Rs.25,000/-** each with one surety in the like sum to the satisfaction of the concerned trial Court for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Sanjay K. Agrawal)
JUDGE

Tiwari