

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 4773 of 2016

- Mamta Chaturwedi W/O Rama Shankar Chaturwedi Aged About 40 Years R/O Near Deep Pooja School, Hanuman Nagar, Thana Mohan Nagar, District Durg, Chhattisgarh.

---- Applicant

Versus

- State Of Chhattisgarh Through District Magistrate, Durg, Chhattisgarh.

---- Respondent

For Applicant : Mrs. Fouzia Mirza, Advocate

For Respondent/State : Mr. Anant Bajpai, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

22-08.2016

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 15-7-2016 in connection with Crime No. 360 of 2016, registered at Police Station Mohan Nagar, District Durg (CG) for the offence punishable under Sections 3, 4 and 5 of the Prevention of Immoral Trafficking Act.
2. As per prosecution case, on 15-7-2016 when a raid was being conducted in the house of the present applicant, it was found that the applicant was involved in the business of immoral trafficking and the note which was given for trap was recovered from the applicant and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that while applicant was going to Hanuman Nagar Chowk for purchasing house-hold goods, she was arrested on apprehension and without any evidence. It is further submitted that she has been

falsely implicated, separate charge-sheet has been filed, the applicant is a lady having six years old child and she is in jail since 15-7-2016, therefore, she may be released on bail.

4. On the other hand, 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.
6. Perused the statement of Kaliya and other witnesses.
7. Taking into consideration the facts and circumstances of the case, nature of allegations leveled against the applicant, evidence collected so far by the prosecution and further considering the fact that the applicant is a woman having six years old child and she is in jail since 15-7-2016, this court is inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the applicant shall be released on bail on her furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court for her appearance as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju