

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 5709 of 2016

1. Horilal, S/o. Bhakturam, aged about 55 years, R/o. Village- Oteband, P.S. -Anda, District – Balod (C.G.)

----Applicant

Versus

1. State of Chhattisgarh, Through : District Magistrate, District – Durg (Chhattisgarh)

---- Respondent

For Applicant : Mr. Aman Kesharwani, Advocate

For Respondent/State : Mr. Vinod Tekam, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

23/09/2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicant who has been arrested in connection with Crime No.403/2016, registered at Police Station – Chhavani, Durg , District – Durg (C.G.) for the offence punishable under Section 3, 4 & 5 of Prevention of Immoral Traffic in India Act.
2. Case of the prosecution, in brief, is that a raid was conducted on 02.07.2016, in Sai Lodge, which was being run by the applicant and other co-accused by using the trap by payment of Rs.500/- and the same was recovered and it was found that the applicant was using the lodge for prostitution. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case. It is further submitted that

charge-sheet in this case has been filed and no further investigation is necessary, the seizure has already been made and the applicant is in jail since 03.07.2016, therefore, the counsel prays that the applicant may be enlarged on bail.

4. On the other hand, learned counsel for the State opposes the bail application.
5. I have heard learned counsel appearing for the parties.
6. Considering the facts and circumstances of the case and the fact that charge-sheet in this case has been filed, no further investigation is necessary and the applicant is in jail since 03.07.2016, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.
7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his 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 his appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge