

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 7553 of 2016

1. Santosh Sahu, S/o. Rathram Sahu, Aged About 30 Years, R/o. Patharripada, Behind Mukesh Rathore's House, Korba, Tahsil & District Korba, Chhattisgarh.
2. Santoshi Bai Shrivastava, W/o. Santosh Kumar Sahu, Aged About 32 Years, R/o. K-13, Housing Board Colony, Gokul Nagar Korba, Tahsil & District Korba, Chhattisgarh.
3. Sunita Chouhan, W/o. Pinku Chouhan, Aged About 24 Years, R/o. Chakradhanagar, Sarla, Near Birla Building Raigarh, Tahsil & District Raigarh, Chhattisgarh.

---- Applicants

Versus

State Of Chhattisgarh, Through the Station House Officer, Police Station Balco Nagar, District Korba, Chhattisgarh.

---- Respondent

For Applicants	:	Mr. Govind Ram Miri with Mr. Basant Kaiwartya, Advocate
For Respondent	:	Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

14.12.2016

1. This is the first bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicants who have been arrested in connection with Crime No.255/2016 registered at Police Station- Balco Nagar, District Korba (C.G.) for the offence punishable under Section 3, 4, 5 & 8 of Anaitik Vayapar (Nivaran) Adhiniyam.
2. As per the prosecution case, on information received that the applicants No.1 & 2 were running a prostitution racket in the house of Housing Board Colony, a pointer was appointed as a fake customer and the amount was paid and on a raid being conducted, the applicants No.1 & 2 were found in the house alongwith the applicant No.3 who was also involved in the business. It is alleged

that the present applicants were running the business of prostitution.

3. Learned counsel for the applicants would submit that the applicants have been falsely implicated in this case and no direct evidence is available against them. He further submits that the charge sheet in this case has been filed, no further investigation is required and the applicants are in jail since 16.09.2016; therefore, the applicants may be released on bail.
4. Per contra, learned State counsel opposes the prayer for grant of bail.
5. Perused the case diary and the documents. Considering the facts and circumstances of the case and taking into fact that the charge sheet has been filed, offence is triable by the J.M.F.C. and the applicants are in jail since 16.09.2016, I am inclined to release the applicants on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicants shall be released on bail on furnishing a personal bond for a sum of Rs.25,000/- with one surety each in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-
(Goutam Bhaduri)
Judge