

HIGH COURT OF CHHATTISGARH, BILASPUR

M.Cr.C. No. 3775 of 2017

Rekha Sahu W/o Dilip Sahu, Aged About 33 Years R/o Vivekanand Colony, Atal Avash Dhamtari, Tahsil & District Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Police Station City Kotwali, Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondent

And

M.Cr.C. No. 3832 Of 2017

Smt. Neelam Wd/o Late Rajkumar Aged About 34 Years R/o Marathapara, Dhamtari, Tahsil And District Dhamtari, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer, Police Of Police Station City Kotwali, Dhamtari, District Dhamtari, Chhattisgarh.

---- Respondent

For Applicants : Shri Rakesh Thakur and Shri Anil Gulati, Advocates.

For Respondent : Shri Adhiraj Surana, Deputy Government Advocate.

Hon'ble Shri Justice P. Sam Koshy

Order On Board

14.06.2017

1. Above mentioned two bail applications arising out of a common crime No. 100/2017 registered at Police Station City Kotwali, Dhamtari, District Dhamtari

(CG) for the offence punishable under Sections 3, 4 and 5 of the 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. As per the prosecution case, on an information received that Nishant Shrivastava and Shruti Shrivastava are running business of prostitution in their house. Therefore, a raid being conducted by the police, in which, Sanju Dhruv and Mukesh Kumar Sahu alongwith the present applicants were found in the said house. There are some incriminating articles were also found in the said house.
3. Learned counsel for the applicant submits that there are total six accused persons and four accused persons have already been released on bail by co-ordinate Bench of this Court vide order dated 13.6.2017 in MCRC Nos. 2398 of 2017 and 3921 of 2017. He further submits that the charges levelled against the present applicants are similar in nature to that other co-accused persons, therefore, the applicants may be released on bail on the ground of parity.
4. On the other hand, learned counsel for the State on due verification of the facts and circumstances of the case submits that four accused persons have already been released on bail and the nature of allegation levelled against the present applicants are also similar.
5. I have heard the counsel appearing for the parties.
6. Considering the totality of the facts and circumstances of the case, particularly, the fact that other four accused persons have already been released on bail by co-ordinate Bench of this Court vide order dated 13.6.2017 in MCRC Nos. 2398 of 2017 and 3921 of 2017, 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 application filed under Section 439 of the Cr.P.C. is allowed.

8. It is directed that the applicants, namely, Rekha Sahu and Smt. Neelam shall be released on bail on furnishing a personal bond in the sum of Rs.25,000/- each with two sureties in the like sum to the satisfaction of the concerned Court for their appearance as and when directed.
9. Certified copy as per rules.

Sd/-
(P. Sam Koshy)
Vacation Judge