

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2012 of 2017

1. Brijesh Saha S/o Vidhan Saha, aged about 27 years, R/o Village Sargawa, Police Station Gandhinagar, Tahsil Ambikapur, District Surguja, Chhattisgarh.
2. Rajan Soni S/o Thakur Soni, aged about 19 years, R/o Village Sargawa, Police Station Gandhinagar, Tahsil Ambikapur, District Surguja, Chhattisgarh.
3. Rekha Sarkar W/o Porsanto Das, aged about 21 years, R/o Durgapur, Police Station Durgapur, Kolkata, West Bengal
4. Reena Tirkey D/o Jugeshwar Tirkey, aged about 19 years, R/o Batouli, Police Station & Tahsil Batouli, District Surguja, Chhattisgarh.

---- Applicants

Versus

1. State of Chhattisgarh Through Station House Officer, Police Station- Gandhinagar, District Surguja, Chhattisgarh.

---- Non-applicant

And

MCRC No. 2175 of 2017

1. Lalit Kumar Back S/o Bullu Ram, aged about 48 years, R/o Village Bishunpur (Gadhapar) Police Station Gandhinagar, Tahsil Ambikapur, District Surguja, Chhattisgarh.

---- Applicant

Versus

1. State of Chhattisgarh Through the Police Station Gandhinagar, District Surguja, Chhattisgarh.

---- Non-applicant

For Applicant(s) – Shri C.Jayant K. Rao, Advocate (in MCRC No.2012/2017).
Shri A.N.Pandey, Advocate (in MCRC No.2175/2017)
For Respondent/State – Shri Sumit Jhanwar, Panel Lawyer.

Hon'ble Shri Justice Chandra Bhushan Bajpai

Order on Board

02-05-2017

1. Since both the MCRC arise out of the same crime number and incident, both are being disposed of by this common order.
2. Heard the matter finally.
3. Learned counsel for the the applicants in MCRC No.2012/2017 would submit that the applicants came to join in a marriage, though the learned counsel for the applicants is not in a position to state that in whose marriage they were invited by whom. Learned counsel for the applicants would further

submit that they were falsely implicated, they have not connected with any offence and they are in jail since 28-02-2017. Gandhinagar, District Surguja, C.G. police registered Crime No.55/2017 under Section 3, 4, 5 of Immoral Traffic (Prevention) Act, 1956. After investigation police filed the charge sheet which is registered as Criminal Case No.548/17 before the CJM Ambikapur, C.G. They are first offender. They will not commit any offence in future. They may be enlarged on bail.

4. Learned counsel for the applicant in MCRC No.2175/2017 would submit that the applicant is landlord and Brijesh Saha and Rekha Sarkar had taken the house in question on rent just two days prior. The present applicant is not aware of any illegal activity in the said house. He is innocent. He may be granted bail. He is in jail since 27-02-2017 in the said matter.

5. Learned counsel for the State/non-applicant opposed the arguments advanced on behalf of the applicants and would submit that on 27-02-2017 on information regarding prostitution in the said house police sent appointer along with currency note whose number was already noted. All the applicants in both the MCRC were present, police conducted the raid, the said note was seized and as all the applicants indulged in procuring, inducing or taking [person] for the sake of prostitution, they are arrested and after investigation charge sheet has been filed.

6. Perused the material.

7. On due consideration, for the evidence collected against all the applicants and they were present at the time of raid, I am not inclined to grant bail to the applicants. Consequently, both the MCRC are hereby dismissed.

Sd/-
(Chandra Bhushan Bajpai)
JUDGE