

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 8278 of 2016

1. Kiran Suryavanshi, S/o. Shri Yogesh @ Rajat Suryavanshi, aged about 22 years, R/o. Teachers' Colony, Dallirajhara, District – Balod (C.G.).
Present Address : House No.32, Ayodhya Vihar, Smriti Nagar, Bhilai, District -Durg (C.G.)

----Applicant

Versus

1. The State of Chhattisgarh, Through : Station House Officer, Police Station – Supela, District – Durg (C.G.)
{in the impugned order written “through : District Magistrate Durg (C.G.)}

---- Respondent

For Applicant : Ms. Fouzia Mirza, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy. Govt. Advocate

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

09/01/2017

1. This is the second 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.892/2016, registered at Police Station – Supela, District – Durg (C.G.) for the offence punishable under Section 3, 4 & 5 of the Immoral Traffic (Prevention) Act. The first bail application was dismissed as withdrawn with liberty to repeat the same after filing of the charge-sheet vide order dated 08.11.2016, passed in M.Cr.C. No.6851/2016.

2. Case of the prosecution, in brief, is that on information received that the applicant along with her husband are running brothel house, a pointer was appointed. Subsequently, a fake customers were sent in the said brothel house and amount was also paid and subsequently, the applicant was arrested with the said amount of Rs.1,000/-. Thereby the offence has been committed.
3. Learned counsel for the applicant submits that the applicant has been falsely implicated in this case and there is no evidence is available against the applicant and only on the basis of rent agreement, the present applicant has been inculpated. It is further submitted that charge-sheet in this case has been filed and no further evidence is necessary, therefore, 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. Perused the case diary and the documents. Considering the facts and circumstances of the case and further considering the fact that charge-sheet in this case has been filed, all the evidences have been collected and further taking into the fact that the applicant is a lady and is in jail since 30.09.2016, 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 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.
9. Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Balram