

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 2258 of 2017

- Tanishka Ghosh D/o Rajendra Ghosh Aged About 19 Years R/o G-09/95 Sector 15, Rohini New Delhi

---- **Petitioner**

Versus

- State of Chhattisgarh Through Station House Officer, Tikrapara Raipur, District Raipur, Chhattisgarh.

---- **Respondent**

For Applicant : Ms. Sharmila Singhai, Advocate

For Respondent/State : Mr. Anupam Dubey, Dy.G.A.

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

26-4-2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure for grant of regular bail to the applicant who has been arrested on 30-4-2016 in connection with Crime No. 162 of 2016, registered at Police Station Tikrapara Thana Raipur, District Raipur (CG) for the offence punishable under Sections 3, 4, 5, 7 and 8 of the Immoral Traffic (Prevention) Act, 1956.
2. As per prosecution case, on 30-4-2016, on information being received that at Harish Villa Devpuri, business of prostitution is being carried on, a raid was conducted in the house wherein two girls namely Tanishka Ghosh (present applicant) and Sheik Shehener along with other persons were found in objectionable condition and thereby the aforesaid offence was committed.
3. Learned counsel appearing for the applicant would submit that this is second bail application and earlier first bail application was dismissed on merits on 19-7-2016. She would further submit that after rejection of first bail application on 19-7-2016, six witnesses out of seven enlisted witnesses

were examined and they have not supported the case of prosecution case and thereafter on 25-2-2017 again additional charge-sheet has been filed and thereby the prosecution tried to fill the lacuna. It is further submitted that the applicant is in jail since 30-4-2016 and no further investigation is required, therefore, she may be released on bail.

4. On the other hand, learned State counsel opposes the prayer for grant of bail, however, State counsel is not able to dispute the fact that additional charge-sheet was filed against the present applicant on 25-2-2017.
5. I have heard learned counsel for the parties, perused the case diary and documents.
6. From perusal of the documents, it appears that initially charge sheet was filed against the applicant on 30-5-2016 wherein six witnesses have been examined and they have not supported the prosecution case and thereafter additional charge-sheet was filed on 25-2-2017 against the applicant.
7. Considering the fact that additional charge-sheet was filed on 25-2-2017 after six witnesses out of seven enlisted witnesses were examined who did not support the prosecution case and further considering the fact that the applicant is in jail since 30-4-2016 and no further investigation is necessary, I am inclined to release the applicant on bail.
8. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed and it is directed that the 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. She shall also appear before the trial Court as and when directed.

Certified copy as per rules.

Sd/-
(Goutam Bhaduri)
Judge

Raju

