

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

M.CR.C. No. 2439 of 2017

Smt. Yashoda Manikpuri, W/o. Late Ramesh, Aged About 45 Years, R/o. Manikpuri Niwas, Maroda Sector, Bhilai Tahsil & District- Durg, Chhattisgarh.

----Applicant

Versus

State Of Chhattisgarh, Through: Station House Officer, Police Station, Nevai District- Durg, Chhattisgarh.

---- Respondent

For Applicant : Mr. Gurudev I. Sharan, Advocate

For Respondent/State : Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

26/04/2017

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.21/2017, registered at Police Station – Nevai, District – Durg for the offence punishable under Section 3, 4, 5 & 7 of Immoral Traffic Prevention Act, 1956. The first bail application was dismissed as withdrawn on 20.03.2017 in M.Cr.C. No.1462/2017 with liberty to repeat the same after filing of the charge-sheet.
2. As per the prosecution case, on 02.02.2017 on information received that the present applicant in her house situated at H.S.C.L. colony station Marouda is running prostitution business, therefore, a pointer was appointed with sign note of Rs.2000/- and she was caught red handed and from her sign note were seized and other co-accused were also arrested from the house. Thereby the offence has been committed.

3. Learned counsel for the applicant would submit that this is second bail application. The first bail application was dismissed as withdrawn with liberty to repeat the same after filing of the charge-sheet and now the charge-sheet has been filed and no further investigation is necessary and the applicant is in jail since 03.02.2017, therefore, the applicant may be enlarged on bail.
4. Per contra, learned State counsel opposes the application for grant of bail.
5. Perused the case diary and the documents. As appears from the case diary against the applicant similar like nature of offences were registered in the year 2010, subsequently in 2016 and in recent 2017. It appears that even after she enlarged on bail in other cases, she is involved in the similar like nature of cases. Considering the background of the case and the fact that similar nature of cases are registered against the applicant, I am not inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is dismissed.

Sd/-
(Goutam Bhaduri)
Judge