

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 3386 of 2017

- Khiroud Choudhari S/o Bhogilal Choudhari, Aged About 42 Years R/o Near Savitri Medical , Ashok Nagar, Police Station Gudiyaari, District- Raipur, Chhattisgarh. **--- Petitioner**

Versus

- State of Chhattisgarh through the Station House Officer, Tikrapara - Raipur, District- Raipur, Chhattisgarh **--- Respondent**

For the applicant	:	Mr. Sanjay Agrawal, Advocate
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Goutam Bhaduri

Order on Board

23.06.2017

1. This is second bail application filed under Section 439 of the Code of Criminal Procedure seeking grant of regular bail to the applicant in connection with Crime No. 162 of 2016 registered at Police Station Tikrapara, Raipur (C.G) for the offence punishable under Sections 3, 4, 5, 7 & 8 of Immoral Traffic (Prevention) Act 1956.
2. As per the prosecution case, on 30.04.2016, on information having received that in the premises of Dilip Kumar Manikpuri, business of prostitution is being carried on, a raid was conducted in the said premises wherein two ladies along-with other persons were found in objectionable condition and thereby the aforesaid offence was committed. It is alleged that the applicant was involved in commission of crime, as he made all the arrangements.
3. Learned counsel for the applicant would submit that after rejection of the first bail application on 05.09.2016, additional charge sheet has been filed on 25.02.2017

wherein six witnesses have been enlisted and out of total 8 witness, 7 have been examined and they have not supported the case of prosecution. He next submits that the appellant is in jail since 30.04.2016 and the offences are triable by the JMFC, therefore, he may be enlarged on bail at this stage.

4. On the other hand, learned State Counsel opposes the prayer.
5. Considering the fact that additional charge sheet has been filed on 25.02.2017 and earlier out of 8 witnesses, 7 have already been examined and further looking to the period of detention of the applicant as he is stated to be in jail for the last about 14 months and the offences are triable by the JMFC, I am inclined to release the applicant at this stage.
6. Accordingly the bail application is allowed and the applicant is directed to be released on bail on his executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court for his appearance as and when directed by the said Court.

Cc as per rules.

**Sd/-
GOUTAM BHADURI
JUDGE**