

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5465 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. T.K.Jha, Advocate

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

Hon'ble Shri Justice Goutam Bhaduri

Order On Board

06.09.2017

1. This is the third bail application filed under Section 439 of the Code of Criminal Procedure 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 (C.G.) for the offence punishable under Section 3, 4, 5 & 7 of Immoral Traffic Prevention Act. The first bail application was dismissed as withdrawn on 20.03.2017 in MCRC No.1462/2017 and second bail application was dismissed on merit on 26.04.2017 in MCRC No.2439/2017.
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 the pointer Kundan Singh who was appointed by the police has been examined and he has not supported the case of the prosecution, the applicant is in jail since 03.02.2017 and only four witnesses have been examined and trial will take some time for further hearing; therefore, the applicant may be released on bail.
4. Learned State counsel was directed to enquire about the stage of trial, he submits that only four witnesses have been examined till date.
5. Perused the case diary and the statements. Considering the statement and pretrial detention of the applicant as she is in jail since 03.02.2017, I am inclined to release the applicant on bail.
6. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed.
7. It is directed that the applicant shall be released on bail on furnishing a personal bond for a 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.

Sd/-
(Goutam Bhaduri)
Judge