

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 160 of 2018**

1. Ajay Kashyap S/o Puniram, Aged About 33 Years R/o Village Malda Kala, P. S. Hasaud Tahsil Jaijpur District Janjgir Champa Chhattisgarh, Chhattisgarh
2. Madholal Kurmi, S/o Pyarelala, Aged About 33 Years R/o Village Malda Kala, P. S. Hasaud Tahsil Jaijpur District Janjgir Champa Chhattisgarh, District : Janjgir-Champa, Chhattisgarh

---- Applicants**Versus**

State Of Chhattisgarh Through The Station House Officer Police Station Sarangarh, Civil And Revenue District Raigarh Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 672 Of 2018**

Smt. Tiklibai Satnami W/o Shri Ravindra Satnami Aged About 37 Years R/o Village Timarlaga, Police Station Sarangarh District Raigarh Chhattisgarh, District : Raigarh, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Station House Officer Police Station Sarangarh, Civil And Revenue District Raigarh Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Manoj Kumar Jaiswal and Shri Roop Naik, Advocates.
For the Respondent/State	:	Shri Vivek Singhal, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****16.02.2018**

1. Both these applications are decided by a common order as they arise from the similar matter. These are the first bail applications of the applicants filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail to the applicants who have been arrested in connection with Crime No.647 of 2017, registered at Police Station Sarangarh, District –

Raigarh, Chhattisgarh for the offence punishable under Sections 3,5 and 7 of the Immoral Traffic (Prevention) Act, 1956.

2. Learned counsel for the applicants submit that the applicants in M.Cr.C. No. 160 of 2018 are in jail since 27.11.2017 and the applicant in M.Cr.C. No. 672 of 2018 is in jail since 26.11.2017 and they have been falsely implicated in these cases. No case is made out against the applicants in both the cases on the basis of the material placed before the Court by the prosecution. The applicants are ready to abide by all the conditions that may be imposed on them. Hence, it is prayed that the applicants in both the cases be benefited with grant of regular bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect. It is submitted that the offence committed by the applicants in both the cases is against morality. Hence, it is prayed that none of the applicants deserves to be enlarged on bail.

4. Heard counsel for both the parties and perused the case diary.

5. On 26.11.2017, on the basis of the information received, the police personnel of P.S. Sarangarh raided the premises in possession of applicant – Smt. Tikli Bai Satnami in M.Cr.C. No. 672 of 2018 and found that she was in company of two females and it is alleged that prostitution was carried out with those two female persons in the premises of applicant – Tikli Bai. Some male members were also found present on the spot and all of them were

arrested. Hence, this case.

6. Considering the submissions and the contents of the case-diary, as the offences registered against all the applicants are triable by the Judicial Magistrate First Class and the applicants in M.Cr.C. No. 160 of 2018 are local residents of District Janjgir-Champa and the applicant in M.Cr.C. No.672 of 2018 is of District – Raigarh, I am of the considered view that no purpose would be served if the applicants are kept in detention for the whole period of trial. Hence, these applications deserve to be allowed.

7. Accordingly, the bail applications filed under Section 439 of the Cr.P.C. are allowed.

8. It is directed that the applicants in both the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- in respect of each crime with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)
Judge