

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1585 of 2018

1. Nisha Sondhiya W/o Late Ashok Kumar Sondhiya, Aged About 29 Years, Occupation- House Wife, R/o- Nai Basti, Satna Ward 18, behind Central Jail Satna, District- Satna (M.P.) Presently Residing At Sai Colony, Urdana, Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Police Station Chakradhar Nagar, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

And

MCRC No. 1667 of 2018

1. Sita Bai Bareth W/o Nilamber Bareth, Aged About 40 Years, R/o- Boirdadar, Vinoba Nagar, Raigarh, Tahsil And District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh
2. Shahjadi Kuraishi D/o Manshur Kuraishi, Aged About 35 Years, R/o- Indira Nagar, Near Siddhi Vinayak Atal Awas, Makan No. 2 Qrt. No. 9, P.S. City Kotwali, Tahsil And District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicants

Versus

- State of Chhattisgarh Through- The Station House Officer Police Station Chakradharnagar, Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

And

MCRC No. 1697 of 2018

1. Shanker Tiwari S/o Rampujan Tiwari, Aged About 44 Years, Occupation- Private Service, Permanent R/o Halwad, P.S.- Sidhwaliya, District- Gopalganj (Bihar), At Present R/o- Near Dashrath Betal Shop, Kotra Road, Raigarh, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Applicant

Versus

- State of Chhattisgarh Through- Station House Officer, Chakradhar Nagar, District- Raigarh, Chhattisgarh., District : Raigarh, Chhattisgarh

---- Non-applicant

For Applicant(s) – Shri Ashish Gupta, Advocate (in MCRC No.1585/2018),
Shri Manoj Kumar Jaiswal, Advocate (in MCRC No.1667/2018),
Shri Amit Sharma, Advocate (in MCRC No.1697/2018).
For Non-applicant/State – Shri Vinod Tekam, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board**19-04-2018**

1. As all these three applications arise out of the same crime number, i.e., Crime No. 30/2018, registered at Police Station Chakradharnagar, Raigarh, District Raigarh, C.G., for the offence under Section 3, 4, 5 of Immoral Traffic (Prevention) Act, 1956, they are being decided by this common order.
2. Heard on the applications filed under Section 439 of the Cr.P.C. These are first bail applications before this Court filed by the applicants for grant of regular bail. The applicants have been arrested on 06-02-2018 in connection with aforesaid crime number and offences.
3. It is submitted on behalf of the applicants in all these applications that the applicants have been falsely implicated in this case. They are in jail since 06-02-2018. Charge sheet has been filed after completion of the investigation. The case is triable by JMFC and the trial is likely to take some time before its conclusion. Hence, it is prayed that the applicants may be granted regular bail.
4. Learned counsel for the State/non-applicant opposes the applications.
5. Heard learned counsel for the parties and perused the case diary.
6. According to the prosecution case, on 06-02-2018 police personnel of Police Station Chakradharnagar raided the house of applicant Sita Bareth (applicant No.1 in MCRC No.1667/2018) and it was found that illegal activity of prostitution was being carried out in that house, in which applicant Sita Bareth (in MCRC No.1667/2018) and applicant Nisha Sondhiya (in MCRC No.1585/2018) were engaged and applicant Shanker Tiwari (in MCRC No.1697/2018) was present on the spot as customer and on that basis, the FIR has been lodged. Hence, this case.
7. Considering on the material present in the case diary and the facts that the case is triable by JMFC and no purpose would be served if the applicants

are kept in detention till conclusion of the trial, I am of this view that these applicants should be released on bail during pendency of the trial against them.

8. Consequently, all these applications filed by the applicants under Section 439 of the Cr.P.C. for grant of regular bail are hereby allowed. It is directed that the applicants shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Court, for their appearance as and when directed.

9. Certified copy as per rules.

Sd/-

(Rajendra Chandra Singh Samant)
Judge