

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.CR.C. No. 2738 of 2018**

Jagdish Tigga, S/o. Shri Sukhdev Tigga, Aged About 25 Years, Private Job,
R/o- Home No. A-71, Sagar Homes, Uslapur, Police Station House- Sakri
District- Bilaspur, Chhattisgarh.

---- Applicant

Versus

State Of Chhattisgarh, Through- Station House Officer, Mahila Thana
Bilaspur, District- Bilaspur, Chhattisgarh.

---- Respondent

For Applicant : Mr. Sudeep Verma, Advocate

For State/respondent : Mr. Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board**02/07/2018**

1. This is the first 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.5/2018, registered at Police Station – Mahila Thana, Bilaspur, District – Bilaspur (C.G.), for the offence punishable under Section 3, 4, 5, 6, 7, & 9 of Immoral Trafficking (Prevention) Act read with Section 365, 366 (b), 368, 370 of the Indian Penal Code.
2. It is submitted by the learned counsel for the applicant that the applicant has been falsely implicated in this case. Applicant is in jail

since 31.01.2018. Charge-sheet has been filed after completion of investigation. No case is made out against this applicant. Applicant has been implicated only on the basis of the memorandum statement of the co-accused persons. The only allegation made by the witnesses against this applicant is that he helped the victim for getting engaged in job in Amaya Day Spa and Siaura Thai Spa and Saloon. There is no allegation that this applicant was instrumental in the exploitation of the girls or in pushing them into prostitution. Hence, it is prayed that the applicant may be enlarged on bail.

3. On the other hand, learned counsel for the State opposes the bail application and the submission made in this respect.
4. I have heard the learned counsel for both the parties and perused the case diary.
5. Police personnel of Police Station Mahaila Thana, Bilaspur conducted raid in 36 City Mall in Amaya Day Spa and some foreigner girls were found, who had been there for the purpose of prostitution. They were arrested and some other customer present on the spot were also arrested. The allegation against this applicant is this that he was the manager of Siaura Thai Spa and Saloon, hence, it was under his management, the business of prostitution was going on in the said Spa.
6. Considered on the submissions made and the contents of the case diary. Considering on all the material present in the case diary and looking to the nature of statement given by the witnesses, this Court is of the opinion that present is a fit case, in which, the applicant should be enlarged on regular bail.

7. Accordingly, the bail application filed under Section 439 of the Cr.P.C. is allowed.
8. It is directed that applicant shall be released on bail on his furnishing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned trial Court, for his appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge

Balram