

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRCA No. 558 of 2018

- Anupam Jain S/o Sanat Kumar Jain, Aged About 36 Years, R/o Banda Road Bandri, Thana-Bandri, Distt. Sagar M. P., District : Sagar, Madhya Pradesh

---- Applicant

Versus

- State Of Chhattisgarh Through The Police Station Mahila Thana, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh

---- Non-applicant

For Applicant – Shri Deepak Jain, Advocate.

For Non-applicant/State – Shri Anil S. Pandey, Govt. Advocate.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order on Board

06-07-2018

1. Apprehending arrest in connection with Crime No.05/2018 registered at P.S. - Mahila Thana, Bilaspur, District Bilaspur, Chhattisgarh for offence punishable under Section 3, 4, 5, 6, 7 and 9 of the Prevention of Immoral Trafficking Act 1956 and Section 365, 366(B), 368, 370 of the IPC, the applicant has preferred this application for grant of anticipatory bail.
2. It is submitted by learned counsel for the applicant that the applicant has been falsely implicated in this case. It is true that this applicant is owner of Siaura Thai Spa & Salon, but it was actually managed and operated by the manager of the same and this applicant has no knowledge about calling of any girl or any other business conducted in the said spa which can be called as illegal. Charge sheet has been filed after completion of the investigation. Hence, it is prayed that this applicant may be benefited with grant of anticipatory bail.
3. Learned counsel for the State/non-applicant opposes the application submitting that the said spa was the center of illegal and immoral activities, of which, this applicant is owner, hence, he is not entitled for grant of anticipatory bail.
4. Heard learned counsel for the parties and perused the case diary.

5. The police personnel of P.S. Mahila Thana, Bilaspur conducted a raid in Siaura Thai Spa & Salon situated at 36 City Mall, Bilaspur. There had been complaint that illegal business of prostitution is going on in that mall. During the raid two girls were found present. Thereafter, the case was registered against this applicant.

6. Considered on the entire material present in the case diary. Looking to the nature of evidence that is proposed for prosecution of this applicant, I am of this view that he deserves to be granted anticipatory bail.

7. Accordingly, the anticipatory bail application is allowed. It is directed that in the event of arrest of the applicant in connection with the aforesaid offence, he shall be released on bail by the officer arresting him on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. The applicant shall also abide by the following conditions :

- (i) that the applicant shall make himself available for interrogation before the investigating officer as and when required;
- (ii) that the applicant shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- (iii) that the applicant shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicant shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial.

8. Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge