

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 5489 of 2018

- Jailal Kurre S/o Brijlal Kurre Aged About 51 Years R/o- Ward No. 15 Nawapara, Gandai, P.S. Gandai, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through- Police Station- Gandai, District- Rajnandgaon, Chhattisgarh., District : Rajnandgaon, Chhattisgarh

---- Respondent

For Applicant	:	Mr. Anil Gulati on behalf of Mr. Rakesh Pandey, Advocate.
For Respondent	:	Mr. N.K. Mehta, Panel Lawyer.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

09/08/2018

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.149/2018 registered at Police Station– Gandai, District– Rajnandgaon(C.G.) for the offence punishable under Sections 3, 4 & 5 of Immoral Traffic (Prevention) Act, 1956.
2. Learned counsel for the applicant submits that applicant is innocent and has been falsely implicated in this case. He is in jail since 18.7.2018. No case is made out against him. Hence, it is prayed that

applicant be enlarged on regular bail.

3. Learned State counsel opposes the bail application and submissions made in this respect. It is submitted that this applicant either runs the brothel or provides women for prostitution, hence, he is not entitled for grant of bail.
4. Heard both the parties and perused the case diary.
5. On the date of incident the police personnel of PS-Gandai received a confidential information, that this applicant is running brothel house and one of the police personnel went for a test and demanded a women for prostitution to which this applicant agreed, hence, he has been arrested along with the co-accused persons. Hence, this case.
6. Considered on the entire material present in the case diary, as it has been submitted by his counsel that applicant himself is a HIV patient, hence, after due consideration, I am of this view that this is a fit case where applicant should be released on regular bail.
7. Accordingly, the bail application filed under Section 439 of Cr.P.C. is allowed. It is directed that the applicant shall be released on bail on his 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 his appearance as and when directed.

Sd/-

(Rajendra Chandra Singh Samant)

Judge