

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR
MCRC No. 2371 of 2019

1. Smt. Poonam Dakshini And Anr. W/o Shri Abhishek Dakshini Aged About 37 Years R/o Rawatpura Colony, Phase - I, Om Vihar Bhathagaon, Raipur, Tahsil And District Raipur Chhattisgarh.
2. Abhishek Dakshini S/o Shri Shantilal Dakshini Aged About 37 Years R/o Rawatpura Colony, Phase - I, Om Vihar Bhathagaon, Raipur, Tahsil And District Raipur Chhattisgarh.

---- Applicants

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Tikrapara, Raipur, District Raipur Chhattisgarh.

---- Respondent

For Applicants	: Mr. B.L. Sahu, Advocate
For State/respondent	: Mr. Samdarsh Nirankari, Panel Lawyer

Hon'ble Shri Justice Rajendra Chandra Singh Samant

Order On Board

16/04/2019

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 applicants, who have been arrested in connection with Crime No.375/2018, registered at Police Station – Tikrapara, Raipur, District - Raipur (C.G.), for the offence punishable under Sections 3, 4, 5 of Immoral Traffic (Prevention) Act, 1956 (PITA Act).
2. It is submitted by the learned counsel for the applicants that the applicants have been falsely implicated in this case and the applicants are in jail since 31.08.2018. The trial is getting delayed, therefore, it is prayed that the applicants 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. According to the prosecution case, the allegation against these applicants is that they were running a brothel. When the police conducted raid and some girls and men were found in an objectionable condition in that premises.
6. Considering that the trial is getting delayed and the maximum sentence proposed for the offence of the applicants is for two years imprisonment, hence this Court is of the opinion that present is a fit case, in which the applicants 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 applicants shall be released on bail on their furnishing a personal bond in the sum of Rs.25,000/- each with one surety in the like sum to the satisfaction of the concerned trial Court, for their appearance as and when directed.

Certified copy as per rules.

Sd/-
(Rajendra Chandra Singh Samant)
Judge