

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 2411 of 2019**

Jayesh Varu, S/o Shri Dhanji Bhai Varu, Aged about 45 years, R/o Jai Hind Vihar Colony, Sector-3, Shivanand Nagar, Shrinagar, P.S. Khamtarai, District Raipur (CG). **---- Applicant**

Versus

State of Chhattisgarh, through P.S. Azad Chowk, District Raipur (CG).

---- Non-applicant

For Applicant	: Mr. Akash Pandey, Advocate
For Non-applicant	: Mr. Vikram Dixit, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

16.04.2019

1. This is second bail application filed under Section 439 of the Cr.P.C. for grant of regular bail to the applicant, who has been arrested in connection with Crime No.25/2019 registered at Police Station Azad Chowk, Raipur, District Raipur for the offence punishable under Sections 4, 5 & 7 of Prevention of Immoral Traffic (Prevention) Act, 1956.
2. The first bail application of the applicant was rejected on merits by this Court vide order dated 19.02.2019 passed in M.Cr.C. No.878/2019.
3. Case of the prosecution in brief is that on 20.01.2019, C.S.P. Nasar Siddiqui, Azad Chowk, Raipur received an information from informant that in Hotel Recharge, the business of prostitution was running. The present applicant is a Manager of the said hotel. A person namely Manish Mishra is made as a pointer. Three notes of denomination of Rs.500/-, number 11C3875797, 5SD320673 and 0AP039791 were given to the said pointer to give procurer. The said pointer went to the hotel and told to the applicant to provide girl in lieu of that the applicant received an amount of Rs.1,500/- from him. He was talking with a girl namely Ashwani Deshmukh in room No.206. The police party raid the hotel and seized three notes of denomination of Rs.500/- bearing the same numbers from the applicant.
4. Counsel for the applicant submitted that the applicant is an

innocent person and has been falsely implicated in the present case. He further submitted that charge-sheet has been filed and the applicant was only the Hotel Manager in the said hotel. The main accused is Ashwani Deshmukh, who has been released on bail by this Court vide order dated 08.03.2019 passed in M.Cr.C.No.1343/2019 and as such the applicant may be released on bail.

5. On the other hand, counsel for the State opposed the bail application.

6. The case of the present applicant is totally different from the case of co-accused Ashwani Deshmukh, who has been released on bail by this Court.

7. Looking to the above mentioned facts and circumstances of the case and looking to this fact that there is no change in the circumstances of the case on the strength of which the applicant be released on bail in the second round of litigation. Consequently, the second bail application is rejected. However, the trial Court is directed to expedite the trial and dispose of case as early as possible in accordance with law from the date of receipt of certified copy of this order.

Sd/-

(Sharad Kumar Gupta)
JUDGE

L/-