

HIGH COURT OF CHHATTISGARH, BILASPUR
M.Cr.C.No.3333 of 2019

Hitesh Praveen Chouhan S/o Shri Praveen Chouhan, aged about 30 years, R/o 307, Varuna Apartment, C-Block, Amalidih, Raipur, Distt. Raipur (CG)

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Raipur, Distt. Raipur (CG)

---Non-Applicant

M.Cr.C.No.3424 of 2019

Priya Jaiswal @ Princy (Therapist) aged about 25 years, wife of Ashish Jaiswal, resident of near R.N. Ramkrishna Mandir, Chakarpun-76, Gudgaon (Haryana)

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Raipur, District-Raipur (CG)

---Non-Applicant

And

M.Cr.C.No.3514 of 2019

Jepiholi Swu (wrongly mentioned as J.P. Holi in rejection order), aged about 25 years, daughter of Kihovi Swu (Therapist (wrongly mentioned as Q. Holi), address-near Jineboto Thana, Jineboto, District-Jineboto (Nagaland)

---Applicant

Versus

State of Chhattisgarh Through Station House Officer, Police Station Civil Lines, Raipur, District-Raipur (CG)

---Non-Applicant

For Applicant	:	Mr.Vivek Tripathi, Advocate in M.Cr.C.No.3333 of 2019
For Applicants	:	Mr.Atul Kumar Kesharwani, Advocate in M.Cr.C.Nos.3424/2019 and 3514/2019
For Non-applicant	:	Ms Sangeeta Mishra, P.L.

Hon'ble Smt.Justice Rajni Dubey

Order on Board

24/05/2019

1. Since these three bail applications have been filed against the same crime number i.e. Crime No.298/2019, they are being disposed of by this common order.
2. These are the first bail applications 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.298/2019, registered at Police Station-Civil Lines, Raipur, Distt. Raipur (CG), for the offence punishable under Sections 4, 5 and 7 of the Prevention of Immoral Trafficking Act.
3. Case of the prosecution, in brief, is that on 30.4.2019, Station House Officer, Police Station Civil Lines, Raipur received an information that at Bus Stand Shyam Plaza Sam Spa Center, there are girl brought from outside for trafficking. On the basis of aforesaid information, the police authority conducted raid and arrested the applicants and other accused persons.
4. Mr.Vivek Tripathi and Mr.Atul Kumar Kesharwani, learned counsel appearing for the applicants submit that the applicants have not committed any offence and they have falsely been implicated in crime in question. They further submit that the applicants are in jail since 30.4.2019, offence is triable by the Judicial Magistrate First Class, charge-sheet has already been filed and no further interrogation is required. Therefore, they may be released on regular bail.

5. Per contra, learned Counsel appearing for of the State opposes the bail applications and submits that there are sufficient evidence available on records against the Applicants which shows that they are involved in crime in question.

6. I have heard learned counsel for the parties and perused the case diary.

7. Taking into consideration the facts and circumstances of the case, nature and gravity of the offence, pre-trial detention of the applicants since 30.4.2019, offence is triable by the Judicial Magistrate First Class and the fact that charge-sheet has already been filed and no further interrogation is required, I am of the opinion that present is a fit case in which the applicants should be released on regular bail.

8. Accordingly, the bail applications are allowed. It is directed that the applicants shall be released on bail on each of them executing a personal bond for a sum of Rs. 50,000/- with one solvent surety for the like amount to the satisfaction of the concerned Trial Court for their appearance before the said Court as and when directed.

Sd/-

(Rajni Dubey)
Vacation JUDGE

B/-