

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4358 of 2019**

Sunil Sukhramani S/o Nandlal Sukhramani, Aged About 38
Years R/o Amlidih, Raipur, District Raipur, Chhattisgarh.,
District : Raipur, Chhattisgarh

---- Applicant

Versus

State Of Chhattisgarh Through Station House Officer,
Police Station Civil Lines And District Raipur Chhattisgarh.,
District : Raipur, Chhattisgarh.

---- Respondent

For the Applicant	:	Shri B. Gopa Kumar and Shri P. Chetan Kumar, Advocates
For the State	:	Ms. M. Asha, Panel Lawyer

Hon'ble Shri Justice Sharad Kumar Gupta

Order On Board**30/07/2019**

1. This is the second bail application under Section 439 of the CrPC. Earlier first bail application was rejected by this Court on 07/05/2019 in MCRC No.2727/2019 considering the prima facie case against him.
2. Perused the case diary provided by the learned counsel for the State in connection with Crime No.23/2019 registered at Police Station- Civil Line, District- Raipur (C.G.) for the offence punishable under Sections 4, 5 and 7 of Immoral Traffic (Prevention) Act, 1956.
3. Case of the prosecution in brief is that on 10.01.2019, the Police Station Civil Line, Raipur received an information that in Jara Spa Center situated at Bus Stand Shyam Plaza Complex, Raipur

in the garb of the spa, prostitution was running. The manager of the said Spa was the co-accused Ankaj Kumar Singh. A person namely Avinash K. Mishra is made as a pointer. Four notes of denomination of Rs.500/-, 4D.J. 302141, 4D.E. 302142, 4D.E. 302143, 4D.E.302144 were given the said pointer. A party was constituted. Pointer Avinash K. Mishra went to said Spa Center. He had given Rs.2,000/- to the co-accused Ankaj Kumar Singh to provide a girl. The said pointer was found in a room along with co-accused Megha Dhimiray. In another room, co-accused Pinki Mishra and Anil Kumar Gupta were found in half-naked state. In another room, co-accused Asther Jasmine and Yamik Tabha were found waiting for customers. From the possession of the applicant, the said number notes were seized. The accommodation of Jara Spa Center was operated by applicant.

4. As per the Spot Panchnama, Spa Center was operated by applicant and co-accused Ankaj Kumar Singh. As per the letter written by Rampratap Singh for Shyam Plaza he had rented the shop to applicant.
5. Counsel for the applicant submitted that star witnesses including pointer has been examined and they did not support the prosecution case, thus applicant may be released on bail.
6. On the other hand, counsel for the State opposes the bail application. He further submits that no criminal antecedents against the applicant.
7. In the case in hand I.O. and some other witnesses have to be

examined. Mere this fact that some witnesses have turned hostile in the trial Court does not change the circumstances.

8. There is no change in the circumstances of the case on strength of which the applicant be released on bail. Consequently second bail application is rejected.

Sd/-
(Sharad Kumar Gupta)
Judge

Kamde