

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4255 of 2019**

1. Jailal Satnami S/o Late Brijlal, aged about 55 years, R/o Ward No.15, Gandai, P.S. Gandai, Tehsil - Chhuikhadan, District Rajnandgaon, C.G.).
2. Raja Jangde S/o Chovaram, aged about 35 Years, R/o village Ote Band, P.S. Karhi Bazar, District Balod, Chhattisgarh
3. Durga Jangde W/o Raja Jangde, aged about 30 Years, R/o village Ote Band, P.S. Karhi Bazar, District Balod, Chhattisgarh.
4. Madhu Bai W/o Rohit Satnami, aged about 25 Years, R/o Tenduadih, P.S. Pandariya, District Kabirdham, Chhattisgarh.
5. Anjana Bai W/o Uttara Satnami, aged about 30 Years R/o Ward No.15, Gandai, P.S. Gandai, Tahsil Chhuikhadan, District Rajnandgaon, Chhattisgarh.

---- Applicants**Versus**

- State of Chhattisgarh Through : The Police Station, Gandai, District Rajnandgaon (C.G.).

---- Respondent

For Applicants	:	Shri Abhishek Pandey, Advocate.
For Respondent	:	Shri Rahul Mishra, Dy. G.A.

Hon'ble Smt. Justice Rajani Dubey**Order on Board****31/07/2019**

1. The applicants have filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody since 16.06.2019 in connection with Crime No.155/2019 registered at Police Station, Gandai, District Rajnandgaon (C.G.) for the offence punishable under Sections 3, 4, and 5 of Prevention of Immoral Traffic Act (for short 'the PITA').
2. The prosecution case, in brief, is that on 16.06.2019, the

police party, acting on a tip-off that applicant No.1 and 2 along with other women are running business of prostitution, sent two pointers with money, conducted raid, seized Rs.300/- from applicant No.1, Rs.200/- from applicant No.2, seized 15 used condoms and found other applicants in suspicious condition. Based on this, FIR was registered against the applicants under Sections 3, 4, and 5 of PITA.

3. Learned counsel for the applicants submits that the applicants are innocent and they have been falsely implicated in the case. It has been also submitted that the applicants are in jail since 16.06.2019, challan has not been filed yet and there is no likelihood of their case being decided in near future. It has been further submitted that the offence is triable by Judicial Magistrate and minimum punishment under the PITA is of three years, therefore, the applicants may be granted bail.
4. On the other hand, learned State counsel opposes the bail application.
5. I have heard learned counsel for the parties and perused the record.
6. Having heard learned counsel for the parties and having regard to the fact that the case is triable by the Judicial Magistrate, the applicants are languishing in jail from 16.06.2019 and minimum punishment under the PITA is of three years, this Court is of the opinion that it is a fit case to release the applicants on bail.
7. Accordingly, the application is allowed and the applicants are directed to be released on bail on their furnishing a personal

bond of Rs.50,000/- each with one surety for the like sum to the satisfaction of the concerned Court for their appearance before it as and when directed.

Sd/-

(Rajani Dubey)
Judge

Vijay