

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 4360 of 2019**

Rohit Moolchandani S/o Chandrabhan Moolchandani Aged About 32 Years
R/o Shivanand Nagar, Shrinagar, Raipur, Police Station Ganj, District-
Raipur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through The Police Station Ganj, District- Raipur,
Chhattisgarh.

---- Respondent**And****M.Cr.C. No. 4469 Of 2019**

Saket Mukherjee S/o Narayan Mukherjee Aged About 28 Years R/o
Parbatipur Majhi And Janpara, Police Station Domjur, Hawda 711405, At
Present Hotel Raipur In Fafadih Chowk, Police Station-Ganj, Tahsil And
District- Raipur, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Police Station Ganj, District-
Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C No. 4511 of 2019**

Dinesh Tripathi S/o Shri Kripa Shankar Tripathi Aged About 45 Years R/o
Bhudhatalab Road, Chandni Chowk, Nehru Nagar, District- Raipur,
Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Police Station Ganj, District-
Raipur, Chhattisgarh.

---- Respondent**And****M.Cr.C No. 4613 of 2019**

Amit Kumar Shil S/o Bhavtosh Kumar Shil Aged About 40 Years 6, Near FCI
Godown, Maharani Ward 14, Jagdalpur, District Bastar Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through The Police Station Ganj, District-
Raipur, Chhattisgarh.

---- Respondent

And

M.Cr.C No. 4921 of 2019

Ku. Jyoti Sahu D/o Shri Punit Ram Sahu Aged About 23 Years At Present R/o Sahyog Vihar, Near Udyog Bhawan, Ring Road No. 1, Police Station Telibandha, Raipur, Tahsil And District Raipur Chhattisgarh.

---- Applicant

Vs

State Of Chhattisgarh Through The Police Station Ganj, District- Raipur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri Ankur Agrawal, Shri Pragalbha Sharma, Shri Anoop Majumdar, Shri Raja Sharma and Shri Dheerendra Prasad Mishra, Advocates.
For the Respondent/State	:	Shri Neeraj Pradhan, P.L.

Hon'ble Shri Justice Rajendra Chandra Singh Samant

ORDER

07.08.2019

Heard.

1. All these applications are being decided by this common order as they arise from the same incident. These are the first bail applications for grant of regular bail to the applicants who have been arrested in connection with Crime No.233 of 2019, registered at Police Station – Ganj, District – Raipur, Chhattisgarh for the offences punishable under Sections 3, 4 and 5 of the PITA Act, 1956.
2. Learned counsel for the applicants submit that the applicants are in jail since 16.6.2019 and they have been falsely implicated in this case. No case is made out against the applicants on the basis of the material placed before the Court by the prosecution. Hence, for these reasons, the applicants are entitled for grant of bail.

3. On the other hand, learned counsel for the State opposes the bail applications and the arguments submitted in this respect.
4. Heard counsel for both the parties and perused the case diary.
5. The police personnel of police station Ganj, District Raipur conducted a raid in the premises of hotel Raipur Inn, where applicants – Ritesh Awasthi, Amit Kumar Shil and Rohit Moolchandani were found with a co-accused women in objectionable condition. One informer of the police also named that applicant – Dinesh Tripathi had been involved in the same incident, whereas, applicant – Saket Mukherjee was the Manager of the hotel where the incident has occurred. Hence, on this basis, the applicants have been arrested on the spot.
6. Considering the fact that the applicants have already undergone some detention, no purpose would be served if the applicants are kept in detention for the whole period of investigation and trial and the case is triable by the Judicial Magistrate First Class, therefore, I feel inclined to grant regular bail to all the applicants in all the cases.
7. Accordingly, the bail applications filed under Sections 439 and 438 of the Cr.P.C. are allowed.
8. It is directed that the applicants in all the cases shall be released on bail on each of them furnishing a personal bond in the sum of Rs.25,000/- in respect of each crime with one surety in the like sum to the satisfaction of

the concerned trial Court, for their appearance as and when directed. In case any default is committed by the applicant/s in appearing before the concerned trial Court, this order granting bail shall stand cancelled automatically.

Sd/-

(Rajendra Chandra Singh Samant)
Judge