

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**MCRC No. 4444 of 2019**

- Lalita Khute W/o Paras Ram Khute, aged about 30 years, R/o Kharri Para, Near Water Tank, Mungeli, Tahsil and District Mungeli (C.G.).

---- Applicant**Versus**

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

---- Respondent

For Applicant	:	Shri Abhishek Sharma, Advocate.
For Respondent	:	Shri Rahul Mishra, Dy. G.A.

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

1. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of regular bail as she is 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 co-accused along with the applicant is running business of prostitution, sent two pointers with money, conducted raid, seized condoms and found the applicant in suspicious condition. Based on this, FIR was registered against the applicant under Sections 3, 4, and 5 of PITA.

3. Learned counsel for the applicant submits that the applicant is innocent and she has been falsely implicated in the case. It has been also submitted that the applicant is in jail since 16.06.2019, challan has not been filed yet and there is no likelihood of her 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 applicant 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 applicant is 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 applicant on bail.
7. Accordingly, the application is allowed and the applicant is directed to be released on bail on her furnishing a personal bond of Rs.50,000/- with one surety for the like sum to the satisfaction of the concerned Court for her appearance before it as and when directed.

Sd/-

(Rajani Dubey)
Judge