

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C. No. 1630 of 2020**

1. Nanki @ Bhuri Bai, wife of Mangal Singh, aged about 45 years, resident of Ward No. -1, vilage Tumgaon P.S. Tumgaon, Tahsil and District Mahasamund (C.G.)
2. Madhu Sahu, daughter of Puniram, aged about 20 years, resident of village Hardi, P.S. Pali, District Korba (C.G.)
3. Soma Devnath, wife of Tapas Devnath, aged about 35 years, resident of village and P.S. Bonga, District North 24 Pargana (West Bangal)
4. Geeta Malik, daughter of Narayan Malik, aged about 37 years, resident of Pathoriya, P.S. Bagda, District North 24 Pargana (West Bengal)

---- Applicants**Versus**

State of Chhattisgarh, Through : Station House Officer, Police Station Tumgaon, District Mahasamund (C.G.)

----Non-applicant

For Applicants : Mr. Vimal Kumar Tondey, Advocate.
 For Non-applicant/State : Mr. D.C. Verma, Dy. Govt. Advocate.

Hon'ble Shri Justice Sanjay K. Agrawal**Order On Board****15/05/2020**

- (1) The accused/applicants have preferred this bail application under Section 439 of the Code of Criminal Procedure for releasing them on regular bail during trial in connection with Crime No. 25/2020 registered at police Station Tumgaon, Civil and Revenue District Mahasamund (C.G.) for the offence punishable under Sections 3, 4, 5 & 7 of the Immoral Traffic Prevention Act, 1986.
- (2) Case of the prosecution in brief is that applicants were found involved in the offence of prostitution and thereby committed the aforesaid offence
- (3) Learned counsel appearing for the applicants submits that applicants have been

falsely implicated in the crime in question as they have not committed any offence. He further submits the applicants have been arrested on 15.02.2020; no useful purpose would be served in further detaining them in jail and as the trial is likely to take some time for its final disposal, therefore, applicants may be released on bail.

(4) On the other hand, counsel for the State opposes the bail applicant.

(5) Taking into consideration the nature and gravity of the offence, further considering the facts that applicants are languishing in jail since 15.02.2020 and no custodial interrogation is required, this court is of the view that it is a fit case to release the applicants on bail. Accordingly, the application is allowed.

(6) Accused/applicants are directed to be released on bail on each of them executing a personal bond in the sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the trial Court. They are directed to appear before the trial Court on each and every date given by the said Court till disposal of the trial.

(7) It is made clear that if the applicants have already been released on bail pursuant to the bail bonds already furnished in view of the order passed by the High Power Committee constituted in compliance of the order of the Supreme Court of India dated 23.03.2020 in the matter of **In Re : Contagion of COVID 19 Virus in Prisons** (Suo Moto Writ Petition (c) No. 1/2020), they need not furnish bail bonds afresh and the bail bonds already furnished shall be deemed to be the bail bonds furnished in compliance of the order of this Court, but if they have not furnished the bail bonds earlier, then they will be required to furnish bail bonds within four weeks from today.

(8) Certified copy, as per rules.

Sd/-

(Sanjay K. Agrawal)
Judge

