

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 1844 of 2020

1. Ku. Sonam Baghel, D/o Shri Nannu Das Baghel Aged About 19 Years R/o Tarbahar, Khubiram Bose Chowk, P. S. Tikrapara, District Bilaspur Chhattisgarh,
2. Ku. Rekha Panika D/o Late Shri Shyam Panika Aged About 21 Years R/o Mangla Chowk, City Kotwali, District Bilaspur Chhattisgarh,
3. Mohammad Raza Ansari S/o Shri Mohammad Nasrud Ansari Aged About 24 Years R/o Near Hanuman Temple, Tifra, P. S. Sirgitti, District Bilaspur Chhattisgarh
4. Ashok Das S/o Shri Madan Das Aged About 38 Years R/o Ramsagarpara, Kasdol, P. S. Kasdol, District Baloda Bazar-Bhatapara Chhattisgarh,

---- Applicants

Versus

- State Of Chhattisgarh Through Police Station New Rajendra Nagar, District Raipur Chhattisgarh

---- Respondent

MCRC No. 1900 of 2020

- Saraswati Manikpuri D/o Shri Tulsi Das Manikpuri Aged About 34 Years R/o I. T. I. Rampur, Korba, P. S. Rampur, District Korba Chhattisgarh Present R/o Housing Board Colony, In Front Of Shadani Darbar, Devpuri, Raipur P. S. New Rajendra Nagar, District Raipur Chhattisgarh,

----Applicants

Versus

- State Of Chhattisgarh Through P. S. New Rajendra Nagar, District Raipur Chhattisgarh

---- Respondent

For Applicants	: Shri Pragalbha Sharma, Advocate
For Respondent/State	: Shri Dinesh Tiwari, Dy.GA

Hon'ble Smt. Justice Rajani Dubey

Order On Board

09/06/2020

As both these M.Cr.Cs. arise out of the same crime number, they are being disposed of by this common order.

Counsel for the applicants submits that applicant No.2 has been granted bail by this Court in M.Cr.C. No. 2048/2020 vide order dated 02.06.2020 and therefore he does not want to press the application on her behalf.

Accordingly, the application on behalf of applicant No.2 is dismissed as not pressed.

The applicants No. 1,3,4 in M.Cr.C. No. 1844/2020 and applicant in M.Cr.C. No. 1900/2020 have filed these applications under Section 439 of the Code of Criminal Procedure for grant of regular bail as they are in custody in connection with Crime No. 83/2020 registered at police station Rajendra Nagar, district Raipur (CG) for the offence punishable under Sections 4,5 and 7 of the Immoral Traffic (Prevention) Act and Section 25 of the Arms Act.

Case of the prosecution in brief is that on receiving secret information that the applicants are involved in procuring, inducing or taking person for the sake of prostitution at a flat located in Prem Park, Mahaveer Nagar, Raipur, the police party raided and arrested the applicants.

Counsel for the applicants submits that the applicants are innocent and have been falsely implicated in the crime in question. It is further submitted that the applicants are in jail since 26.02.2020 and looking to the conduct of the prosecution it is clear that the trial will take time for its conclusion.

On the other hand counsel for the State opposes the bail applications.

Having heard counsel for the parties, considered the totality of the fact, in particular the detention period of the applicants, I am inclined to release them on regular bail. Accordingly, their applications filed under Section 439 of the Code of Criminal Procedure are allowed.

It is directed that in the event of the applicants' furnishing a personal bond in the sum of Rs. 25,000/- each with one surety for the like sum to the satisfaction of the concerned Court, they shall be released on bail.

It is made clear that if the applicants' have already been released on bail pursuant to the bail bonds already furnishing 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.

Sd/-

(Rajani Dubey)
Judge