

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C No.5652 of 2021**

1. Smt. Savita Choudhary, W/o Late Prabhat Choudhary, Aged About 36 Years R/o - Ishwar Nagar, Naharpara, Tikrapara, Raipur, District - Raipur Chhattisgarh.
2. Smt. Madhu Nishad, W/o Anil Nishad, Aged About 22 Years R/o - Rawanbhata, Bajari Nagar, Khamtarai, Raipur, District - Raipur Chhattisgarh.
3. Smt. Kaushaliya Solanki, W/o Shri Ravi Solanki, Aged About 30 Years R/o - Bazarpara, Gudhiyari, Raipur, District - Raipur Chhattisgarh.

---Applicants**Versus**

State Of Chhattisgarh, Through The Station House Officer, Police Station
- Tikrapara, District - Raipur Chhattisgarh.

---- Non-Applicant**M.Cr.C No.6010 of 2021**

1. Smt. Seema Manikpuri W/o Rakesh Manikpuri, Aged About 24 Years R/o. Gobra Nawapara, Near Hanuman Mandir, Raipur, Tahsil And District Raipur Chhattisgarh
2. Smt. Gayatri Banchor, W/o Santosh Banchor, Aged About 22 Years R/o Kachna Housing Board, Ward No. 24, House No. 17, Khamhardih, Raipur, Tahsil And District Raipur Chhattisgarh

---Applicants**Versus**

State Of Chhattisgarh Through The Station House Officer, Police Station
Tikrapara, District Raipur Chhattisgarh

---- Non-Applicant

For Applicants:

Shri Shivendu Pandya, Advocate.

For Non-Applicant/State:

Shri Priyanshu Gupta, Panel Lawyer.

Hon'ble Shri Justice Gautam Chourdiya
Order on Board through Video Conference

01.09.2021

1. The Applicants have preferred this application under Section 439 of Cr.P.C. as they have been arrested in connection with Crime No.209/2021 registered at Police Station Tikrapara, District Raipur, C.G. for the offence punishable under Sections 3, 4 & 5 of Prevention of Immoral Traffic Act.
2. The allegation against the Applicants is that they have been running the business of prostitution in their house situated at Ishwar Nagar, Naharpara, Tikrapara, Raipur and on a raid being conducted by the police, a boy and girl were found in an objectionable condition.
3. Learned Counsel for the Applicant submits that the Applicants have been falsely implicated in the crime in question for which, they are in jail since 30.06.2021 and that there is no incriminating material against them which may hold them guilty for the commission of offence punishable under Sections 3, 4 & 5 of Prevention of Immoral Traffic Act and therefore, they may be released on bail.
4. On the other hand, learned State Counsel opposed the bail applications. However, he submits that the Applicants have no criminal antecedents.
5. I have heard learned Counsel for both the parties and perused the entire case diary.hg
6. Taking into consideration the facts and circumstances of the case, the allegation made against the Applicants, their detention period and the fact that there are no criminal antecedents against them and that the conclusion of trial may take some time, without further commenting anything on merits of the case, I am of the opinion that the Applicants are entitled to be released on bail.
7. Accordingly, the instant M.Cr.Cs are allowed and it is directed that in the event of the Applicants' executing a personal bond for a sum of Rs.2,00,000/- with two sureties of Rs.1,00,000/- each to the satisfaction of the concerned trial Court, they shall be released on bail on the following conditions:-

- i. they shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such fact to the Court,
- ii. they shall not act in any manner which will be prejudicial to fair and expeditious trial, and
- iii. they shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.
- iv. they shall strictly follow the COVID-19 protocol issued by the Central Government / State Government / Local Authority.
- v. they shall not involve themselves in any offence of similar nature in future.

Let a copy of this order be forwarded to the concerned police station forthwith who shall inform the trial Court in the event of Applicants' involving themselves in any offence in future.

Sd/-

Gautam Chourdiya
JUDGE

Priya