

NAFR

HIGH COURT OF CHHATTISGARH, BILASPUR

MCRC No. 6049 of 2021

1. Manish Singh S/o Shri Radheshyam Singh, Aged About 26 Years, R/o Mominpura, Ward No. 1, Sheetla Chowk Nagpur (Maharashtra), Present Address Rajshree Hotel, Nehru Nagar Bhilai, District Durg (C.G).

---- Applicant

Versus

1. State Of Chhattisgarh, Through The Station House In-Charge, Police Station Supela, District Durg (C.G.).

---- Non-Applicant

For Applicant	:	Mr. Sandeep Shrivastava, Advocate.
For Non-Applicant/State	:	Mr. Adil Minhaj, Govt. Advocate.

Hon'ble Shri Justice Gautam Chourdiya

Order on Board

09/09/2021

- 1) The applicant has preferred this First Bail Application under Section 439 of Code of Criminal Procedure, 1973 as he is in jail since 11/07/2021 in connection with Crime No. 527/2021 registered at Police Station Supela, District Durg (C.G.) for the offence punishable under Sections 3, 4 & 5 of Immoral Traffic (Prevention) Act, 1956.
- 2) Allegation against the present applicant is that he was involved in immoral human trafficking. On 10/07/2021 the Police upon receiving secret information conducted raid in Rajshree Hotel, Nehru Nagar Chowk, Durg (C.G.) and apprehended the present applicant with tainted money and some girls involved in the flesh trade. On report being lodged to the above effect, the aforesaid offence has been registered against the present applicant.
- 3) Learned counsel for the applicant submits that the applicant has been falsely implicated in the crime in question. He submits that applicant has been arrest merely on the basis of suspicion. He further submits that the applicant has been arrested on 11/07/2021. He submits that the applicant has no criminal antecedents and there

is no apprehension of the applicant tampering with the evidence or absconding and trial is likely to take some time for its disposal. Therefore, the applicant be released on bail.

- 4) On the other hand, learned counsel for the State opposes the bail application. However, he is unable to explain regarding criminal antecedents of the applicant.
- 5) Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, the nature of allegation against the present applicant, the detention period of the applicant who is 26 years old, according to the applicant's counsel he has no criminal antecedents and there is no mention about the criminal antecedents of the applicant in the impugned order of the Court below, there is no apprehension of the applicant tampering with the evidence or absconding as admitted by both the counsel, and that conclusion of trial may take some time due to COVID-19 Pandemic, the application is **allowed**. It is directed that in the event of the applicant 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, he shall be released on bail on the following conditions:-
 - i. he 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 him from disclosing such fact to the Court,
 - ii. he shall not act in any manner which will be prejudicial to fair and expeditious trial,
 - iii. he shall appear before the trial Court on each and every date given to him by the said Court till disposal of the trial,
 - iv. he shall strictly follow the COVID-19 protocol issued by the Central Govt./State Govt./Local Authority,
 - v. he shall not involve himself 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 applicant involving himself in similar offence in future.

**-Sd/-
(Gautam Chourdiya)
Judge**

Chandrakant