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HIGH COURT OF CHHATTISGARH, BILASPUR**(Proceedings through Video Conferencing)****M.Cr.C. No. 5612 of 2021**

- Devendra Kumar Sagar, age 23 years, S/o Shri Dular Singh, Village Mudhiya, Tahsil Doundilohara, P.S. - Balod, District Balod (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh Through: Station House Officer, P.S. - City Kotwali, District Raipur (C.G.)

---- State/Non-Applicant**M.Cr.C. No. 5801 of 2021**

- Sukanti Bai Harpal, aged about 36 years, W/o Hiralal Harpal, at – Mahavir Nagar, Behind Sai Mandir, P.S. New Rajendra Nagar, District- Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh through SHO P.S. Kotwali, District - Raipur (C.G.)

---- State/Non-Applicant**M.Cr.C. No. 5854 of 2021**

1. Smt. Durga Patel W/o. Shri Mukesh Patel, aged about 27 years, R/o. Motinagar, Thana- Tikrapara, Tahsil/District Raipur (C.G.)
2. Smt. Geeta Sonwani W/o Shri Navin Sonwani, aged about 38 years, R/o B S U P Colony, Sejbahar, Thana- Tikrapara, District Raipur (C.G.)

---- Applicants**Versus**

- The State of Chhattisgarh, Through Police Station- City Kotwali, District Raipur (C.G.)

---- State/Non-Applicant**M.Cr.C. No. 6117 of 2021**

- Shrejal Chakradhari @ Divya Chakradhari aged about 23 years, W/o Virendra Chakradhari, at – Main Road Near Jetkhambh Santoshi Nagar, PS – Tikrapara, Tehsil and District – Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh through SHO P.S. Kotwali, District - Raipur (C.G.)

---- State/Non-Applicant

M.Cr.C. No. 6028 of 2021

- Jagrit Dewangan S/o Late Shri Rajendra Kumar Dewangan, aged about 28 years, R/o House No. 36, Kripal Nagar, back side of Hanuman Temple Kohka, Bhilai, Police Station Supela, District Durg (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through: Station House Officer, Police Station : City Kotwali, District Raipur (C.G.)

---- State/Non-Applicant**And****M.Cr.C. No. 6506 of 2021**

- Smt. Pooja Sharma @ Poonam A. Dixini (as per adhar card) wife of Shri Abhishek Sharma, aged about 33 years, resident of behind Budheshwar Mandir, Bramhpuri, P.S. Purani Basti, Tahsil and District Raipur (C.G.)

---- Applicant**Versus**

- State of Chhattisgarh, Through: Station House Officer, Police Station City Kotwali, Raipur, District Raipur (C.G.)

---- State/Non-Applicant

For respective Applicants	:	Shri J.K. Gupta, Shri Lukesh Kumar Mishra, Shri Samir Singh, Shri Krishna Kumar Dixit and Shri Rekhraj Baghel, Advocates
For Non-Applicant/State	:	Dr.(Ms.) Veena Nair, Deputy Advocate General

Hon'ble Shri Justice Gautam Chourdiya, J**Order on Board****26.08.2021**

1. M.Cr.C. No. 5612/2021; M.Cr.C. No. 5801/2021; M.Cr.C. No. 5854/2021; M.Cr.C. No. 6117/2021 & M.Cr.C. No.6028/2021 have already been admitted for hearing.
2. M.Cr.C. No. 6506/2021:
3. Heard.
4. Admit.

5. With the consent of learned counsel for the parties, all six above bail applications are heard finally.
6. As the above six first bail applications under Section 439 of Cr.P.C. preferred by the respective applicants arise out of the same Crime Numbers i.e. 137/2021 registered in same Police Station- City Kotwali, District Raipur (CG) for the offence punishable under Sections 4, 5 & 7 of Immoral Traffic (Prevention) Act, 1956, they are being disposed of by this common order.
7. The prosecution story in short is that, on 12.07.2021, Officers of Police has received the secret information from the informant with the averment that, at Flat of Mahavir Plaza, Tagore Nagar using brothel by bringing girls from different towns for prostitution. On the basis of such information, the police conducted raid and all the applicants were arrested in the said crime.
8. Learned counsel for the respective applicants submit that the applicants have been falsely implicated in the crime in question, the applicants have no criminal antecedents, there is no likelihood of the applicants tampering with the prosecution evidence or absconding, they are in jail since 12.07.2021, 13.07.2021, 14.07.2021 and due to Covid-19 pandemic, trial is likely to take some time for its final disposal. Therefore, the applicants be released on bail by this Court.
9. On the other hand, learned counsel for the Non-Applicant/State opposes the bail applications and submits that the applicants have no criminal antecedents.
10. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case, considering the detention period of the applicants who are 23, 27, 28, 33 & 36, years old, the fact that applicants have no criminal antecedents, there is no likelihood of the applicants tampering with the prosecution evidence or absconding as admitted by counsel for the parties and due to covid-19 pandemic, conclusion of trial may take some

time, without commenting anything on merits of the case, the applications are allowed.

11. It is directed that in the event of each 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 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 him/her 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.

12. 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 similar nature of offence.

13. In result, M.Cr.C. No. 5612 of 2021; M.Cr.C. No. 5801 of 2021; M.Cr.C. No. 5854 of 2021; M.Cr.C. No. 6117 of 2021; M.Cr.C. No. 6028 of 2021 & M.Cr.C. No. 6506 of 2021 are allowed on the above terms and conditions.

Sd/-

(Gautam Chourdiya)
Judge