

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 379 OF 2015**

Chaya Manohar Ahire	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Arjun Rajput i/b Ms. Anjali Patil for the Applicant

Mr. S. H. Yadav, A.P.P for the Respondent-State

API Mr. Ramchandra S. Sawant from Shivaji Nagar Police Station is present

CORAM : REVATI MOHITE DERE, J.

THURSDAY, 12TH MARCH, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P.
2. By this application, the applicant seeks her enlargement on bail in connection with C.R. No. 470 of 2014 registered with the Shivaji Nagar Police Station, Mumbai, for the alleged offences punishable under Section 370(3) of the Indian Penal code and under Sections 3, 4 and 5 of the Immoral Traffic Prevention Act, 1986 ('PITA').

3. According to the prosecution, the applicant was running a brothel and at the time of the raid, she was found in possession of two notes of Rs. 500/-, which were received from a bogus customer.

4. The learned Counsel for the applicant contended that the victim girl, who was found at the time of the raid, was a major aged 19 years. She submits that a perusal of the victim's statement will reveal that she was neither compelled nor forced into prostitution, by the applicant. Learned Counsel submits that on the contrary, her statement would reveal that the victim was in dire need of money and hence, she approached the applicant.

5. Learned A.P.P opposed the bail application. She submits that the applicant was charged for a similar offence in the year 2010.

6. Perused the charge-sheet, more particularly, the statement of the victim girl, aged 19 years. It appears that the victim girl had, on her own accord, gone to the applicant, as she was in dire need of money, as her daughter was ill and required medication. Considering the statement of the victim girl, which is the only material as against the applicant and

considering the age of the applicant, the applicant is enlarged on bail on the following terms and conditions:

ORDER

- (i) The applicant Chaya Manohar Ahire be released on bail in connection with C.R. No. 470 of 2014 registered with Shivaji Nagar Police Station, on executing PR Bond in the sum of Rs. 25,000/- with one or two local solvent sureties in the like amount;
- (ii) The applicant shall attend Shivaji Nagar Police Station on the 1st and 3rd Saturday of every month between 11:00 a.m. to 12:00 noon till the conclusion of the trial;
- (iii) The applicant shall inform her latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Shivaji Nagar Police Station;
- (iv) The applicant to cooperate with the conduct of the trial;

(v) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

7. The aforesaid observations are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

8. The Application is allowed in the aforesaid terms and is accordingly disposed of.

9. Parties to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.