

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1735 OF 2015**

1. Rakesh Bhairo Dodi Yadav;	
2. Baleshwar Bandhan Yadav;	
3. Vijay Balu Yadav	...Applicants
Versus	
The State of Maharashtra	...Respondent

Mr. Prabhanjay R. Dave for the Applicants

Ms. Veera Shinde, A.P.P for the Respondent-State

API Mr. R. D. Nale from Versova Police Station is present

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 7TH OCTOBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicants seek their enlargement on bail in connection with C.R. No. 263 of 2015 registered with the Versova Police Station, Mumbai, for the alleged offences punishable under Sections 3, 4, 5, 6, 7(1)(b) of The Immoral Traffic (Prevention) Act and under Section 370(3) of the Indian Penal Code.

3. Learned Counsel for the applicants states that a raid was conducted pursuant to an information received on 22nd July, 2015. He states that in the said raid, 7 women were rescued. He states that applicant Nos. 1 and 2 who were allegedly the scouts were arrested on the spot and applicant No. 3 was arrested subsequently. He submits that all the 7 victim girls who were rescued were major and that there is no material to show that they were coerced or forced into prostitution. He submits that as far as the applicant No. 3 is concerned, there was a case registered as against the applicant No. 3 in 2006 under the PITA Act, however, applicant No. 3 has been acquitted in the said case in the year 2009.

4. Learned A.P.P does not dispute the aforesaid facts.

5. Perused the papers. It appears from the statements of the victim girls who are major, that they voluntarily got into the activity of the prostitution. Considering the nature of allegations, the applicants are enlarged on bail on the following terms and conditions :

ORDER

(i) The applicants be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- each, with one or two local sureties in the like amount;

(ii) The applicants shall attend the concerned Police Station on the first and third Saturday of every month from 10:00 a.m. to 11:00 a.m. till the filing of the charge-sheet and thereafter, on the first Saturday of every month till the conclusion of the trial;

(iii) The applicants shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The applicants shall inform their latest places of residence and mobile contact numbers 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 concerned Police Station;

- (v) The applicant to cooperate with the conduct of the trial;
 - (vi) The applicants shall file an undertaking in the Trial Court with regard to the aforesaid clauses (ii) to (v) within two weeks of his release;
 - (vii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicants' bail.
6. The Application is allowed in the aforesaid terms and is accordingly disposed of.
7. It is made clear that the observations made herein 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. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.

CERTIFICATE

Certified to be true and correct copy of the original signed
order.
