

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 46 OF 2016

Sanjubai Baban Vaje,
Age: 55 years, Occ: Agri.,
R/o. Gopinath Nagar, Ward No.2,
Shrirampur, Tq. Shrirampur,
District Ahmednagar.

...Applicant

versus

The State of Maharashtra
Through Police Station Officer,
Shrirampur City Police Station,
District Ahmednagar.

...Respondent

.....
Mr. N.L. Choudhari, Advocate for applicant
Mr. A.S. Shinde, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 8th FEBRUARY, 2016

ORAL ORDER :

The applicant is seeking regular bail in Crime No. 51 of 2015 registered with Shrirampur City Police Station, Taluka Shrirampur, District Ahmednagar for the offence punishable under Sections 3,4,5 and 7 of the Immoral Traffic (Prevention) Act, 1956 for the alleged incident dated 17/04/2015.

2. The prosecution case against the present applicant is that the applicant was running brothel and was caught red handed on the spot while doing so.

3. The applicant was arrested from the spot on the date of incident. In the above referred background, Mr. Choudhari, learned Counsel for the applicant while claiming parity with one Vasudev s/o Sukhdev Avchar and Ratnabai Dhondiram Narode based on the order dated 26/08/2015 passed in their respective Criminal Applications bearing Criminal Application Nos. 3834 of 2015 and 4221 of 2015 would urge that the applicant be released on bail. It is further claimed by learned Counsel for the applicant that more than ten months the applicant is behind the bars and offence at the most is punishable with imprisonment for five years.

4. Learned A.P.P. tried to oppose the application on the ground that nature of offence as is committed is serious one. He would then urge that though earlier similar offences are registered against the applicant, however, the applicant was acquitted and prayed for rejection of the application.

5. In the light of the fact that the investigation in the matter is complete and charge sheet is already filed, further detention of the applicant is not necessary in the matter. The offences are punishable with imprisonment maximum for five years, if proved against the applicant and the applicant is detained more than ten months by this time.

6. As such, in the above referred back ground, it will be appropriate, in my opinion, to allow the application on the following conditions:-

(i) The applicant be released on bail in connection with Crime No. 51 of 2015 registered with Shrirampur City Police Station, Taluka Shrirampur, District Ahmednagar for the offence punishable under Sections 3,4,5 and 7 of the Immoral Traffic (Prevention) Act, 1956, upon furnishing P.R. bond of Rs.50,000/- with two sureties in the like amount.

(ii) The applicant shall keep herself away from the revenue jurisdiction of Ahmednagar and shall enter Ahmednagar district only for purpose of attending trial.

(iii) If similar type of offence is again registered against present applicant, it shall be open for the prosecution to approach for cancellation of bail straightway before this Court.

7. Criminal Application is allowed in above terms.

[N.W. SAMBRE, J.]