

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 153 OF 2016

Ruksar Sharif Karbelkar. ...Applicant.
vs.
The State of Maharashtra. ...Respondent.

Mr. Pankaj D.Purway for the Applicant.
Smt.M.H.Mhatre, APP. for the State.

CORAM : A.S.GADKARI, J.
DATE : 17th February, 2016

P.C.

This is an application for bail in CR No.I-685 of 2015 registered with Mumbra Police Station, District Thane under Section 370 (2)(3) of the Indian Penal Code and Sections 3,4 and 5 of the PITA Act, 1956.

2) It is the prosecution case that the police received a specific information that the applicant under the guise of selling Ayurvedic Avlin Nutritional Medicines used to conduct brothel at her residential premises. In pursuance of the said confidential information police conducted a raid at the residential premises of the applicant. Two victim ladies namely Ms. Fatima Moim Shaikh and Ms. Tabasum Liyakat Shaikh were found at the said place. The applicant is arrested on 7.8.2015. After completion of the investigation, the police have filed the charge sheet.

3) The record discloses that the medical examination of the victim ladies was conducted by the Investigating Agency on 8.8.2015 at Rajiv Gandhi Medical Collage, and Chhatrapati Shivaji Maharaj Hospital, Kalwa. It is to be noted here that the statement of the victim laides have been recorded by the Investigating Agency on 11.8.2015 i.e. after the gap of about 4

days. There is no satisfactory explanation as to why the said statements were recorded at such a belated stage though the victim ladies were found at the scene of offence itself on 7.8.2015. The alleged victim ladies are major in age and they have alleged that the applicant forced them into the said vocation. It appears that apart from the general allegations made by the said victim ladies in their statements dated 11.8.2015, prima facie, there is no other evidence available on record against the applicant. In view of the same, the applicant has made out a case for her release on bail.

Hence, the following order.

ORDER

- a) The applicant be released on bail in Cr NO.I-685 of 2015 registered with Mumbra Police Station, District Thane on her furnishing PR bond of Rs.50,000/-with one or two solvent local sureties in the like amount.
- b) After her release from the Jail the applicant shall attend the Mumbra Police Station on every 1st Monday of the month between 11.00 a.m. to 1.00 p.m. till the conclusion of the trial.
- c) The applicant shall also attend all the dates before the Trial Court.
- d) The applicant shall not tamper with the evidence and/ or influence the prosecution witnesses.
- e) Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)