

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.256 OF 2016

Priyanka Nitin Waghela ... Applicant
vs.
The State of Maharashtra ... Respondent

Mr. M.S. Mohite i/b. Ms. Akshata Kumavat, for the Applicant.
Ms. A.T. Javeri, APP for Respondent – State.
PSI. Vishwas Bagal, Kashimira police station, Thane present.

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **23rd MARCH, 2016**

P.C.:

. The application is moved for bail. The applicant/accused is facing charges for the offences punishable under Section 370 read with 34 of Indian Penal Code and under Sections 4, 5 and 7 of Prevention of Immoral Traffic Act, 1956 in C.R. No. 578 of 2015 registered with Kashimira police station, Thane. The offence is registered at the instance of police inspector Mr. Sachin Gawas on 14th October, 2015.

2. It is the case of the prosecution that from the credible information gathered, police raided the premises under trap with the help of one bogus customer and they found that the

applicant/accused has employed two girls in the prostitution and she is living on the business of prostitution of these two girls. Therefore, the applicant/accused was arrested on 14th October, 2015.

3. The learned counsel for the applicant/accused submits this is the first bail application filed by the accused after filing of the charge-sheet. The the applicant/accused was not doing any illegal activities under PITA much less under section 370 of Indian Penal Code. No minor girl was found in the said trap. There are no previous antecedents against the applicant. The learned counsel for the applicant/accused further submits that the applicant/accused is the permanent resident of Mira Road and she shall abide by the terms and conditions imposed by the Court if bail is granted.

4. The learned prosecutor while opposing the bail application confirms that no minor girl was found in the trap.

5. Perused the first information report, statements of witnesses and other papers. The applicant/accused has no criminal antecedents. There is no statement from the victim girl that they were

forced by the applicant/accused to go for illegal activities under PITA.

Under such circumstances, I pass the following order:

- (a) The bail application is allowed.
- (b) The applicant/accused be enlarged on bail upon furnishing PR. Bond in the sum of Rs. 20,000/- with one or two solvent sureties in the like amount out of which one should be local surety.
- (c) She shall not tamper with the evidence and shall not pressurize the witnesses.
- (d) She shall not indulge into any criminal activity, while on bail.
- (e) She shall attend all the Court dates regularly.
- (f) She shall not leave India without prior permission of the Court.
- (g) She shall inform permanent address to the investigating officer.
- (h) Violation of any of the conditions imposed shall amount to cancellation of bail forthwith.

6. Bail application stands disposed of on above terms.

(MRS.MRIDULA BHATKAR, J.)