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IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CRIMINAL APPELLATE JURISDICTION

**BAIL APPLICATION NO.1275 OF 2016**

Shrikant Kaligoph Yadav

..Applicant.

Vs.

The State of Maharashtra

..Respondent

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Mr. P.R. Dave for applicant.

Ms. S.S. Kaushik, APP for State.

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**CORAM: A.S. GADKARI, J.**

**DATE : 30<sup>th</sup> August 2016.**

**P.C.**

**1** This is an application under Section 439 of Cr. P.C. for bail in CR No.I-695 of 2015 dated 9.12.2015 registered with Kashimira Police Station, Thane (rural) under Sections 370(3) r/w 34 of the Indian Penal Code and under Sections 3, 4,5,6 and 7 of the Prevention of Immoral Trafficking Act (PITA Act) and under Sections 3,8 and 16 of Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

**2** The first information report is lodged by Assistant Police Inspector Shri Sachin Gavas attached to Thane (rural) Police Station. In the said report, he has stated that on a confidential information received by the police a raid was conducted at Suryaprakash Lodging at Kashimira by

sending a bogus customer. That in the said raid, four women were found indulging in the vocation of prostitution. That the applicant was present at the cash counter. That the victim women who found on the spot disclosed that co-accused Zuber Shaikh and Smt. Tisha Khatun Shaikh used to be mediatries and at their instance the said women were indulging in the said vocation. During the course of investigation, it is revealed that out of the four victim women one victim was found to be a minor and therefore the provisions of PCOSO Act are applied to the present crime. After completion of investigation, police have filed chargesheet.

3           The applicant was arrested on 9.12.2015. It is the specific case of the prostitution that the applicant was working as a cashier at the said Suryaprakash Lodging where the alleged vocation of prostitution was being carried out with the active assistance of Zuber Shaikh and Smt. Tisha Khatun Shaikh. It is to be noted here that the statements of the victim women which are annexed to the present compilation at pages 51 to 54 mention that the said victim women were indulging into the said vocation at the instance of co-accused Zuber Shaikh and Smt. Tisha Khatun Shaikh. Prima facie, it appears that the applicant has no direct role either in instigating or allegedly forcing the victim women in the said vocation. The precise allegation against the applicant is that he being cashier of the

aforesaid Lodging, did not prevent the alleged vocation which was being carried out in the said Suryaprakash Lodging. In view of the above, the applicant has made out a case for his release on bail.

**4** Hence, the following Order:

(i) The applicant be released on bail in CR No.I-695 of 2015 registered with Kashimira Police Station, Thane (Rural) on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from the jail, the applicant shall attend the Kashimira Police Station once in month i.e. on every 1<sup>st</sup> Monday of the said month between 11.00 a.m. to 2.00 p.m.

(iii) The applicant shall also attend all the dates before the Trial Court.

(iv) Any two consecutive defaults in complying with the aforesaid conditions, shall attract the provisions of cancellation of bail.

(v) Criminal Application is allowed in the aforesaid terms.

**(A.S. GADKARI,J.)**