

CRIMINAL BAIL APPLICATION NO. 2122 OF 2016

(Prevention) Act, 1956. It appears that the investigation is almost completed.

3 It is the case of the prosecution that on 6/9/2016 on the basis of the secret information a raid was conducted at Motel namely, "New Shivkrupa Lodge" which was run by Gajanan Honarao, a resident of Kumbhari. The raid was conducted by following due procedure. At the time of raid, two girls were found. Upon enquiry with the girls it was revealed by one of the girl namely Kajal that she was original resident of Mumbai. Due to weakness and old age, her mother could not work as domestic servant and therefore, she had voluntarily started to work as call girl. She had met another girl namely Shama Pande. She was also found in the said motel at the time of raid. She had stated that on 2/9/2016 they left Bombay and had reached Solapur. They met one person namely Prabhakar Aironi. He informed that he would show a lodge to them, where there would be other girls also. The present applicant, who was working there as manager of the motel, has allotted room No. 402 to them. Customers

had been to the said motel for soliciting sexual favours. The applicant has been in custody for more than 40 days.

4 Taking into consideration the nature of allegations and more particularly, the statements of the victims, it cannot said that the applicant herein had coerced the victims to stay in the said lodge nor had detained them, as contemplated under section 370 of the Indian Penal Code. That the victims have specifically stated that they had voluntarily gone to the said hotel and therefore, the applicant deserves to be enlarged on bail.

5 However, it is made clear that the observations made herein above are prima facie in nature and are restricted to the application under section 439 of the Code of Criminal Procedure, 1973. The learned Sessions Judge shall not be influenced by the same at the time of trial.

6 Hence, following order is passed :

ORDER

- (i) The application is allowed.
- (ii) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs. 50,000/- and one or more solvent sureties in the like amount.
- (iii) The applicant shall report to the concerned police station on 1st Sunday of each month till framing of charge.
- (iv) The applicant shall not tamper with the evidence.

7 The application is disposed of accordingly.

(SMT. SADHANA S. JADHAV,J)