

Amk

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 710 OF 2017

Jitendra Kumar Shankar Thakur	.. Applicant
Vs.	
The State of Maharashtra	.. Respondent

Mr. Prabhanjay R. Dave for the Applicant.
Mr. R. M. Pethe, APP for the Respondent-State.

CORAM : A.S. GADKARI, J.
DATE : 5th MAY, 2017.

P. C. :

1. This is an application under Section 439 of the Code of Criminal Procedure for bail in C. R. 383 of 2016 registered with Nagpada Police Station, Mumbai under Sections 370 read with 34 of the Indian Penal Code, Section 5 of the Prevention of Immoral Trafficking Act, Section 3 and 6 of the Passport (Entry into India) Rules, 1950, Section 3(1) of the Foreigner Order 1948, Section 14 of the Foreigner Act, 1946 and Sections 16 (2)(3) of the Protection of Children from Sexual Offences Act, 2012.

2. It is the prosecution case that the victim, girl was aged between 15-16 years and ordinary resident of Bangladesh was induced to cross the border of India and was brought to Nalasopara, Mumbai by the accused persons, namely, Asadul and his wife, Pallavi Asadul Shaikh and thereafter three other accused persons tried to push her into the vocation

of prostitution by accepting substantial consideration. It is alleged that the applicant was the person who had expressed his willingness to accept/purchase the said girl for valuable consideration. That, after receipt of confidential information, the police conducted raid on the spot and rescued the said girl from the clutches of Asadul Nasrul Ali Shaikh. During the course of investigation, the applicant was arrested on 30.11.2016. After completion of investigation, the police have submitted charge-sheet.

3. I have perused the charge-sheet and statement of the victim girl recorded under Section 164 of the Code of Criminal Procedure. It, prima facie, appears from the record that the applicant is alleged to have seen the said victim girl when she was with accused No.1 Asadul Nasrul Ali Shaikh and Pallavi Shaikh and refused to accept her on the ground of her stature. It further appears that the applicant in connivance with other accused had agreed to accept the said girl for valuable consideration, to put her in the vocation of prostitution. However, because of the prompt cautiousness and action of the police, further aggravation of offence was averted. As stated earlier, the allegation against the applicant is that he had agreed to accept the said girl for valuable consideration, to put her in the vocation in the prostitution. It is submitted that there are no antecedents at the discredit of the applicant. In view thereof, the applicant can be released on bail.

Hence, the following order:

- (i) The applicant is released on bail on furnishing P.R. Bond of

Rs.50,000/- with one or two solvent sureties in the like amount.

(ii) After his release from jail, the applicant shall attend the Nagpada Police on every Monday between 11.00 a.m. to 1.00 p.m.

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

(iv) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

(v) The application is allowed in the above terms.

[A. S. GADKARI, J.]