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

CRIMINAL BAIL APPLICATION NO. 1974 OF 2016

Shanti Pujari Mumtaz Shaikh

...Applicant

vs

The State of Maharashtra

...Respondent

.....

Mr Prabhanjay R. Dave for the Applicant

Mr Ajay Patil APP for the Respondent

.....

**CORAM : SMT SADHANA S. JADHAV, J.
20 JANUARY, 2017**

P.C. :

Heard. This is an application under Section 439 of the Code of Criminal Procedure, 1973. The Applicant herein is arrested on 22 July, 2015 in Crime No.302 of 2015 for the offences punishable under Sections 376, 370(3), 343 r/w 34 of Indian Penal Code and Sections 4, 5, 6 of the Prevention of Immoral Traffic Act, 1956. The investigation is completed and charge-sheet is filed in the Sessions Court.

2 It is the case of the prosecution that on the basis of secret information, Social Service Branch had raided the premises of Banaras Chawl, Room No.12, Nagpada, Mumbai since they had information that some women are detained in a brothel. At the time of raid two women were present. They were about 30 and 27 years old respectively. The statement of the said victim was recorded and one of the victim has stated that she was acquainted with one person Raju.

They had allegedly started living as husband and wife in a room. Thereafter he had taken her to his friends room where they were residing. That on 24th June, 2015 his friend, namely, Suresh informed her that he would give her a secured job. He had taken her to Grant Road, Mumbai in a building. The present applicant was residing in the said room. The victim was left in the said room. The victim had inquired with the lady about the nature of job but did not receive any answer. Thereafter, from the next day she had indulged into prostitution against her wish.

3 It is not the case of the prosecution that the present applicant had coerced the victim to indulge into prostitution nor the applicant had abducted or detained the victim to indulge into prostitution. It is, in these circumstances, that the applicant herein deserves to be enlarged on bail. According to the prosecution the applicant runs a brothel. Hence the order.

ORDER

- (a) The application is allowed.
- (b) The Applicant be enlarged on bail on furnishing P.R. in the sum of Rs.15,000/- with one or more sureties in the like amount;
- (c) The applicant shall report to Nagpada Police Station as and when called.

The application is disposed of accordingly.

(SMT SADHANA S. JADHAV, J.)