

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

BAIL APPLICATION NO. 2146 OF 2017

Ratna Atul Singh

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Satyavrat Joshi for the Applicant.

Mr. Shreekant Yadav, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 30th OCTOBER, 2017

P.C.:

. This is an application under Section 439 of Cr.PC. for bail in C.R. No. 11 of 2017 dated 13.01.2017 registered with Faraskhana Police Station, District Pune under Sections 370, 344, 323, 504 read with Section 34 of the Indian Penal Code and Sections 3, 4, 5, 6 and 7 of the Prevention of Immoral Trafficking Act and under Section 12 of Protection of Children from Sexual Offences Act.

2 It is the case of the prosecution that the Applicant was conducting a brothel at the place of offence. That the police conducted a raid on 13.01.2017 and found one minor victim girl therein. That during the course of investigation, a statement under Section 164 of Cr.PC. of the victim girl has been recorded by the Judicial Magistrate First Class, Pune on 27.03.2017. After completion of investigation, the police have submitted charge-sheet.

3 The present case exhibits a pathetic case of victim girl, who due to poverty of her parents was brought to India from Bangladesh and was forced to indulge into the vocation of prostitution. It is the case of the prosecution that, Applicant is the conductor of the said brothel, where the victim girl was found. The victim girl in her statement recorded under Section 164 of Cr.P.C. has narrated all the facts from her coming to India till her rescue by the police from the said brothel. It is the categorical allegation against the Applicant that as the victim girl was resisting to indulge into the said vocation, earlier brothel owner Smt. Mita Didi (co-accused) left the victim girl in the brothel of present Applicant and the Applicant also forced the victim girl to indulge in the said vocation and is living from the earning or proceeds of the said crime and therefore, provisions of Sections 3 to 7 of Prevention of Immoral Trafficking Act are made applicable to the present crime.

4 After taking into consideration the serious allegations against the Applicant, this Court is of the view that the Applicant does not deserve to be released on bail.

5 Application is accordingly, rejected.

(A.S.GADKARI, J.)