

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.808 OF 2017

Kulbhushansingh Durgasingh Bais

..VS..

State of Mah., thr. PSO Bajaj Nagar PS, Nagpur

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Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

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Shri C.S. Dharmadhikari, Counsel for the applicant.
Shri I.J. Damle, Addl.P.P. for the State.

CORAM : V.M. DESHPANDE, J.

DATED : SEPTEMBER 6, 2017.

This is an application for regular bail.

**Heard learned counsel Shri C.S.
Dharmadhikari for the applicant and learned
Additional Public Prosecutor Shri I.J. Damle for the
State.**

**The present application for regular bail is
primarily opposed by learned Additional Public
Prosecutor Shri I.J. Damle for the State that the
investigation is in progress and the charge-sheet is
not filed.**

**The applicant is arrested in connection
with Crime No.114 of 2017 registered with Bajaj Nagar
Police Station, District Nagpur for the offences**

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punishable under Section 370 of the Indian Penal Code read with Sections 3, 4, 5, and 7 of the Immoral Traffic (Prevention) Act, 1956.

Undisputedly, the applicant is a Manager in a hotel which is known as 'Eastern Point Hotel' and is situated at Wardha Road, Nagpur.

According to the prosecution, on getting an information, a decoy was sent in the hotel and in a room of the said hotel a Russian girl was found and according to the prosecution she was brought there by other co-accused in respect of flesh trade.

From the investigation papers, it is not the case of the prosecution, against the present applicant, that the applicant has procured or has helped any other co-accused for procuring the said foreign girl for the said obnoxious trade.

According to the prosecution, the role of the applicant is that he was found present in the said hotel.

The presence of the applicant in the said hotel is a most natural since at the relevant time he was discharging his duties as a Manager. That by itself cannot point a finger against the present applicant that the applicant is involved in the flesh

trade.

The applicant is in jail since 22.7.2017.

Though the charge-sheet is not filed, looking to the nature of accusations made against the applicant, in my view, further incarceration of the present applicant in jail is not warranted. That leads me to pass the following order:

ORDER

i) The criminal application is allowed.

ii) Applicant Kulbhushansingh Durgasingh Bais be released on bail on his executing a P.R. Bond of Rs.50,000/- with two solvent sureties of like amount in connection with Crime No.114 of 2017 registered with Bajaj Nagar Police Station, District Nagpur for the offences punishable under Section 370 of the Indian Penal Code read with Sections 3, 4, 5, and 7 of the Immoral Traffic (Prevention) Act, 1956.

iii) The applicant shall attend the police station twice a week i.e. on every Saturday and every Tuesday between 3:00 p.m. and 6:00 p.m., till filing of the charge-sheet.

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iv) After filing of the charge-sheet, the applicant shall attend the police station once in a month i.e. on last Sunday of every month between 3:00 p.m. and 5:00 p.m., till culmination of the Trial.

v) With this, the criminal application is disposed of.

JUDGE

!! BRW !!

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