

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

CRIMINAL APPLICATION (BA) NO.1033 OF 2017

Sangeeta d/o Gopichand Gajbhiye, R/o Plot No.55, Navneet Nagar, Amravati Road, Wadi,
Nagpur

-vs-

State of Maharashtra, Thr. PSO, PS. Sonegaon, Dist. Nagpur

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

Court's or Judge's Orders.

Shri N. S. Bhagat, Advocate for applicant.

Shri K. L. Dharmadhikari, APP for non-applicant/State.

CORAM : A.S.CHANDURKAR, J.

DATE : November 15, 2017

The applicant who has been arrested on 14/09/2017 in connection with Crime No.284/2017 registered with Police Station Sonegaon, Dist. Nagpur for the offence punishable under Section 370 read with Section 34 of the Indian Penal Code as well as Sections 3 to 5 and 7 of the Immoral Traffic (Prevention) Act, 1956, seeks her release on bail.

It is submitted on behalf of the applicant that as per the First Information Report dated 13/09/2017 on the basis of information received, a raid was conducted in which three ladies were found. On making further search an amount of Rs.3000/- along with mobile handset of the applicant came to be seized. Offence under Section 370 read with Section 34 of the Indian Penal Code as well as Sections 3 to 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 came to be registered. It is submitted that though the police custody remand of the applicant was sought, it was not granted by the trial Court. All

incriminating material has been seized and the applicant is behind bars for more than two months. The applicant has been unnecessarily implicated in the aforesaid offence and she has no antecedents.

The application is opposed by the learned Additional Public Prosecutor by relying upon the reply. It is submitted that two ladies other than the applicant who were found at the flat in question could not justify their presence. Further investigation in the crime is in progress and therefore applicant is not entitled to be released on bail.

Perused the First Information Report as well as police papers. The same indicate raid being conducted in the Salon on 13/09/2017 which according to the prosecution is owned by the present applicant. No male person other than the raiding party was found at the said premises. An amount of Rs.3000/- has been seized. Considering the nature of allegations as made in the report, I find a case is made out for enlarging the applicant on bail.

Accordingly, the applicant Sangeeta d/o Gopichand Gajbhiye who has been arrested in connection with Crime No.284/2017 registered with Police Station Sonegaon, Dist. Nagpur for the offence punishable under Section 370 read with Section 34 of the Indian Penal Code as well as Sections 3 to 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 is directed to be released on bail on furnishing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one surety

in the like amount.

The applicant after her release shall co-operate in investigation as well as in completion of the trial. She shall not indulge in similar activities in future and shall not take any steps to influence the prosecution witnesses.

The observations made in this order are only for deciding this application which is allowed and disposed of.

Humdast granted.

JUDGE