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

CRIMINAL BAIL APPLICATION NO.258 OF 2018

Ram Lakhan @ Ramu Sevalprasad Gupta	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.P.R.Dave, for the Applicant.

Ms.J.S.Lohokare, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th MARCH, 2018

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-156 of 2017 registered with the Palghar Police Station, Palghar, for the alleged offences punishable under Sections 370(A), 370(3), 376, 328, 341, 120B, 323, 504, 506 of the Indian Penal Code, under Sections 4 and 5 of Immoral Traffic (Prevention) Act, 1956 and under Sections 4, 6, 8 and 12 of Protection of Children from Sexual

Offences Act.

3. Perused the charge-sheet. According to the complainant, she came from her native place in Bangladesh to Mira Road, Mumbai, for working in a dance bar. She has alleged that instead of giving her work in a dance bar, she was compelled to do prostitution in different parts of the city. She has alleged that co-accused – Milan had sold her to co-accused – Deepak and thereafter the said co-accused along with others, compelled her into prostitution. A perusal of the statements of the four victim girls (3 major and 1 minor) shows that there are no allegations, qua the applicant that the applicant either compelled or induced the victim girls into prostitution. It is only in the supplementary statement dated 12th September, 2017, that the complainant has stated that the applicant and the co-accused -Deepak were working together. There are no specific allegations made by any of the victim girls, qua the applicant, that he induced or compelled the victim girls into prostitution.

4. Learned Counsel for the applicant states that the applicant has no antecedents. Investigation is complete and charge-sheet is filed.

5. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

- i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two local solvent sureties in the like amount;
- ii) The Applicant shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- iii) The Applicant shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case;
- iv) The Applicant shall co-operate in the conduct of the trial;
- v) An undertaking to the aforesaid clauses (ii) to (iv), shall be filed by the Applicant, in the Registry of the trial Court, within two week's of his release;

vi) It is made clear, that if there is breach of any of the conditions as stated above, the prosecution shall be at liberty to seek cancellation of Applicant's bail.

6. The Application is allowed and disposed of in above terms.

7. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)