

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 373 OF 2018

Prashant @ Prasanna Najunda GowdaApplicant.

Vs.

The State of MaharashtraRespondent.

Mr. S.G. Rajput for the Applicant.

Smt. Rutuja Ambekar APP, for the Respondent-State.

CORAM : A. S. GADKARI, J.

DATE : 25th JUNE, 2018.

P.C.:-

This is an Application under Section 439 of the Code of Criminal Procedure for bail in CR No. 326 of 2017 dated 24th October, 2017 registered with Sahar Police Station, Mumbai under Sections 370, 465, 468, 471, 419, 420 r/w 34 of the Indian Penal Code.

2 Heard the learned counsel appearing for the Applicant and the learned APP. Perused the charge sheet.

3 The Applicant is accused No.3 in the present crime.

It is the prosecution case that, the Applicant in connivance with other accused persons prepared forged and fabricated documents and submitted it with the passport office, Mumbai and on the basis of

the said documents, sent certain children to foreign countries thereby, committing an act of human trafficking.

During the course of investigation, the Applicant came to be arrested on 22nd November 2017 and after completion of the investigation, the police have submitted charge sheet.

4 The evidence, against the Applicant, as propounded by the prosecuting agency is that, the Applicant was in contact with the co accused Modi on his mobile phone. The material available on record is silent about the fact that the Applicant was in fact in use and possession of the mobile phone bearing No. 9930829299. Apart from the said fact, *prima facie*, it appears that, there is no other material available on record against the Applicant.

5 In view of the above, the Applicant can be released on bail.

Hence, the following order.

- a) The Applicant be released on bail in CR No. 326 of 2017, registered with Sahar Police Station, Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- b) After his release from Jail, the Applicant shall

attend the Sahar Police Station on every first Monday of the month between 11.00 a.m. and 1.00 p.m.

- c) The Applicant shall attend all the dates before the Trial Court unless precluded for medical reasons.
- d) The Applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

6 Application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)