

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

ANTICIPATORY BAIL APPLICATION NO. 1637 OF 2018

Ravindra Mohan Patil

....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. R.A. Naik i/b. Umesh R. Mankapure for the applicant.

Mrs. J.S. Lohokare, APP for the State.

Mr. S.A. Jamadar, PI, Ashta Police Station, Dist. Sangli, present.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED: 12th OCTOBER, 2018.

P.C.:

. This is an application for anticipatory bail under section 438 of Criminal Procedure Code, filed by the aforesaid applicant, apprehending his arrest in C.R.No.84/2018 registered with Ashta Police Station, District Sangli for offences punishable under sections 3, 4, 5 and 7 of the Immoral Traffic (Prevention) Act and under section 370 of the Indian Penal Code.

2. Heard Mr. R.A. Naik, learned counsel for the applicant and Mrs. J.S. Lohkare, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsels for the respective parties.

3. The aforesaid crime was registered pursuant to the first information report lodged by Rajendra Bhaskar Patil, Police Head Constable at Ashta Police Station, Sangli. A perusal of the said first information report prima facie reveals that they had received information that prostitution was going on at Sanskar Lodge, Ashta. The police raided the said place in presence of panchas and rescued some of the girls who were brought for prostitution. The applicant herein is the owner of the said lodge. The charge against him is basically for committing offence punishable under section 3 of the Immoral Traffic (Prevention) Act i.e., are allowing the hotel to be used as a brothel.

4. Mr. R.A. Naik, learned counsel for the applicant submits that the applicant was not aware about the said activity. Prima facie, the said submission cannot be believed as Mrs. J.S. Lohokare, learned APP has brought to my notice that the nephew of the applicant was the Manager of the hotel and he was found in the hotel at the time of raid and he too was arrested and released on bail. Nevertheless, considering the fact that the offence under section 3 of PITA Act is punishable for imprisonment of not more than 05 years, in my considered view, the presence of the applicant is not required for the purpose of custodial

interrogation. Under the circumstances, the Application is allowed on following terms and conditions :-

(a) In the event of arrest of the applicant in C.R.No.84/2018 registered with Ashta Police Station, District Sangli, he shall be released on bail, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty Thousand) with one or two solvent sureties in the like amount, to the satisfaction of the Investigation Officer.

(b) The applicant shall remain present before the Investigation Officer from 15/10/2018 for a period of four days and further as and when required by the Investigation Officer for the purpose of interrogation/investigation.

(c) The applicant shall furnish his permanent and temporary address, if any, and his contact details to the Investigation Officer.

(d) The applicant shall not change his residential address without prior intimation to the Investigation Officer.

(e) The applicant shall not interfere with the witnesses in any manner.

(SMT. ANUJA PRABHUDESSAI, J.)