

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

BAIL APPLICATION NO. 2660 OF 2017

Laxman Shankar Devar

... **Applicant**

V/s.

The State of Maharashtra

... **Respondent**

Mr. R.V. Bansode i/b Kiran Nikam for the Applicant.

Mrs. Rutuja Ambekar APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 1st FEBRUARY, 2018

P.C.:

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 171 of 2017 dated 24.06.2017 registered with Turbhe MIDC Police Station, Mumbai under Sections 363, 376, 366(b), 370(1), 370(A) read with Section 34 of the Indian Penal Code and under Section 3, 4, 11(6), 12 of the Protection of Children from Sexual Offences Act, 2012 and under Section 3(1) of the Foreigners Order 1948 and under Section 14 of the Foreigners Act, 1946.

2 Heard the learned Counsel for the Applicant and the learned APP. Perused the charge-sheet.

3 It is the prosecution case that Accused Nos. 1 to 3 namely Joshim Sobur Mulla, Smt. Murshida Joshim Mulla and Jana Rabul Mulla induced and kidnapped two minor victim girls from Bangladesh and brought them to Mumbai

with a view to push them into the vocation of prostitution. That, after receipt of information, police conducted raid at house bearing No. 2220 situated at Shivshakti Nagar, Turbhe Navi Mumbai and found two minor victim girls detained therein. During the course of investigation, it was revealed that Accused No.5 Sachin Chaudhari alias Manager was acting as an agent in providing the said victim girls to indulge into the vocation of prostitution. It is revealed that on certain occasions the said girls were taken to New Mini Mahal Bar and Restaurant situated at Shirvane, Nerul, Navi Mumbai which was being conducted by the Applicant. During the course of investigation, the Applicant came to be arrested on 05.09.2017 and after completion of investigation, the police have submitted charge-sheet.

4 It appears from the record that, the Applicant was conducting the said lodge as a licensee from the original landlord and the said accused No.5 Sachin Chaudhari on certain occasions had directed the victim girls to accompany certain persons in the said lodge. Thus, prima facie it appears that except conducting the said lodge, the Applicant has no direct role to play in the present crime as far as kidnapping, abducting, detention of minor girls and forcing them to indulge in the vocation of prostitution is concerned.

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

Hence, the following order:-

i) The applicant be released on bail in C.R. No. 171 of 2017 dated

24.06.2017 registered with Turbhe MIDC Police Station, Mumbai on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

ii) After his release from jail, the applicant shall attend concerned Police Station once in month i.e. on every first Monday of the month between 10.00 a.m. to 1.00 p.m.

iii) Applicant shall also attend all the dates before the Trial Court.

iv) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

v) Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)