

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

ANTICIPATORY BAIL APPLICATION NO.14 OF 2019

Dilip Babulal Ranka .. Applicant

Vs.

State of Maharashtra .. Respondent

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Mr.Ravi Dwivedi, Advocate for the Applicant.

Ms.A.A. Takalkar, APP for the Respondent – State.

Mr.Atul Patil, PSI, Bandra Police Station, Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 4, 2019.

P.C. :

The applicant is apprehending arrest in connection with C.R.No.750 of 2018, registered with Bandra Police Station, Mumbai, for the offences punishable under Sections 294, 114 read with 34 of Indian Penal Code and Sections 3 read with 8(1) (2) and (4) of Maharashtra Prohibition of Obscene Dance in Hotel, Restaurant and Bar Rooms and Protection of Dignity of Women (working therein) Act, 2016 and Section 131 of Maharashtra Police Act. It is alleged that the police have raided the restaurant, which is subject matter of the FIR and it was noticed that women

were performing dance by making obscene gestures. The accused who was conducting the said Bar and Restaurant was arrested and he is granted bail. The applicant has executed conducting agreement with Krishna Nair. In the FIR also there is reference of the said fact. The agreement has been annexed to this application. Learned APP has submitted that the applicant had earlier also executed such agreement with Krishna Naik. The applicant is holding licence for conducting Bar and Restaurant and Orchestra. But the licence does not permit dancing. The Orchestra licence also permits three women for performing. But, at that time of raid, 30 women were found in the bar. The case of the applicant is that he has no knowledge about the activities conducted by Krishna Naik with whom he has executed the agreement. Admittedly, the business was conducted by Krishna Naik, which fact is reflected in the FIR and the agreement. The applicant is 61 years old person. He was not found at the place of incident. In the circumstance, custodial interrogation of the applicant is not made out and the case for grant of anticipatory bail is made out.

2 Hence, I pass the following order:

:: ORDER ::

- (i) Anticipatory Bail Application No.14 of 2019, is allowed;
- (ii) In the event of arrest of the applicant in connection with C.R.No.750 of 2018, registered with Bandra Police Station, Mumbai, he be released on bail on his furnishing P.R. Bond in the sum of Rs.20,000/-, with one or more sureties in the like amount;
- (iii) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)