

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

CRIMINAL BAIL APPLICATION NO. 274 OF 2019

Pintukumar Parmeshwar Sav ... Applicant

Versus

State of Maharashtra ... Respondent

Mr. G. H. Khan I/by Vrishali R. Raje for Applicant.

Ms. S. S. Kaushik, APP for Respondent – State.

Mr. Hanumant Kale, PSI, Chembur Police Station present in Court.

CORAM : NITIN W. SAMBRE, J.

DATE : JANUARY 25, 2019.

P.C. :

. In Crime No. 234 of 2018 for an offence punishable under Sections 370(A) of the Indian Penal Code and Sections 4 and 5 of the Immoral Traffic (Prevention) Act, the Applicant is seeking regular bail. The Applicant came to be arrested on 17th July 2018.

2. After the Applicant was chargesheeted, sought regular bail before the court below which was rejected on the ground that the offence is serious and the Applicant is resident of the State of Jharkhand.

3. Having considered submissions of the learned Counsel for Applicant and the learned APP, in the facts and circumstances of the case needs to be appreciated that for the offence punishable under Section 370 (A) of the Indian Penal Code maximum punishment provided is upto five years, whereas under the Immoral Traffic (Prevention) Act also the same punishment is provided. The Applicant has made a submission in the Application that there are no criminal antecedents but for the present crime.

4. That being so, the Application needs to be allowed. Hence, the following order.

ORDER

- (A) The Applicant be released on bail in Crime No. 234 of 2018 for an offence punishable under Sections 370(A) of the Indian Penal Code and Sections 4 and 5 of the Immoral Traffic (Prevention) Act on executing PR Bond of Rs.25,000/- with one or more sureties in the like amount.
- (B) Two consecutive default in attending the Court may further result in cancellation of the bail granted to the Applicant.

(C) The Applicant shall neither tamper the evidence of prosecution nor influence the prosecution witnesses.

5. Criminal Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)