

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

BAIL APPLICATION NO. 410 OF 2019

Shri Rohit Ranjan S/o. Kamalkant Singh ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Ms. Anjali Patil Contractor, Advocate, for the Applicant.

Mr.S.R. Agarkar, APP for the State.

(Mr. S. A. Bhandare, PI, Oshiwara Police Station, is present.)

CORAM : PRAKASH D. NAIK, J.

DATE : FEBRUARY 18, 2019.

PC :

1 The Applicant is arrested on 12.12.2018 in connection with the CR No. 524 of 2017, registered with Oshiwara Police Station, for the offence under section 370 (3) read with section 34 of the Indian Penal Code and under sections 3, 4 & 5 of the Immoral Traffic (Prevention) Act, 1956 and also under sections 3, 4, 7 of PITA Act.

2 The case of the prosecution is that an information was received by the Police about prostitution activities being conducted at Thai Rich Spa. The Applicant is allegedly the owner of the said Spa. It is alleged that the massage services were provided in the said Spa and on paying extra amount, the

prostitution activities are being conducted. The manager of the Spa was arrested during the course of investigation and was subsequently granted bail. The applicant had also preferred an application for anticipatory bail, which was rejected and thereafter he has surrendered on 12.12.2018.

3 Learned counsel appearing for the Applicant points out the statements of the women working in the said Spa. Statements indicate that the victims used to provide extra services on payment of additional amount which was shared by the applicant and other accused persons. Learned counsel for the applicant submits that taking the case of the prosecution as it is, the girls /women employed in the said Spa, were carrying out the said activities by charging the amount. They have stated that they were forced in the prostitution and exploited by the accused persons.

4 Learned APP, however, submits that under the pretext of conducting the activities of Spa and massage, the prostitution is being conducted in the premises. The applicant is in custody from the date of the arrest.

5 Investigation is complete and the chargesheet is already filed. The manager was arrested and granted bail. Thus, further detention of the applicant is not necessary.

6 As stated above, the victim girls were major in age. They have not alleged that they were exploited by the applicant.

7 In view of this, case for grant of bail is made out by the applicant. Hence, I pass following order :

ORDER

- i. Bail Application No. 410 of 2019 is allowed.
- ii. The Applicant is directed to be released on bail in connection with CR No. 524 of 2017, registered with Oshiwara Police Station, on his furnishing PR Bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.
- iii. The Applicants shall attend the concerned Police Station once in a month, on first Saturday of the month between 11 a.m. to 1 p.m. till further orders.
- iv. The applicant is permitted to furnish a cash surety in the sum of Rs. 25,000/- for a period of six weeks.

All concerned to act on an authenticated copy of this order duly issued by the Registry.

(PRAKASH D. NAIK, J.)