

Anand

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

BAIL APPLICATION NO. 1879 OF 2018

Rajesham Ramlu Adeyap

.Applicant

Vs.

The State of Maharashtra

.Respondent

Mr. Santosh Bhamre, Advocate, for the Applicant

Mr. A. R. Kapadnis, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 27.06.2019

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. I-04 of 2018 registered with the Nizampura Police Station, Mumbai, for the alleged offences punishable under Sections 370(2)(4) r/w 34 of the Indian Penal Code, under Sections 3, 4 & 5 of the Immoral Traffic (Prevention) Act and under Sections 4, 8 & 12 of the Protection of Children from Sexual Offences Act.

3. Perused the papers. On 05.01.2018, on source information,

Senior Police Inspector called the Complainant i. e. PSI Mr. Chavan and other police personnels and informed them that a lady named Nazia is in the business of supplying girls for prostitution on payment of money. Pursuant thereto, two panchas and one decoy customer were arranged and a trap was laid. The decoy customer was asked to call on her mobile number. It is alleged that Nazia called the decoy customer to Sai Baba Mandir, Kalyan-Bhiwandi road, Bhiwandi. It appears that the decoy customer made a few calls to Nazia in order to get her exact details. According to the prosecution, Nazia had sent the Applicant to bring the decoy customer to her room. Accordingly, the Applicant had taken the decoy customer to the brothel room. It appears that in the raid, two minor girls, aged 17 years were found indulging in prosecution. After investigation, charge-sheet was filed as against the accused. All the accused were arrested in the said case including the Applicant. It is not in dispute that co-accused -Nazia and Sunita have been enlarged on bail. According to the prosecution, the Applicant was sent to bring the decoy customer to the brothel. Learned counsel for the Applicant states that the Applicant has no antecedents. Statement accepted. Investigation is complete and charge-sheet is filed.

4. Considering the aforesaid, the Application is allowed and

the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

(i) The Applicant be enlarged on bail, on executing P. R. Bond in the sum of **Rs. 25,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned police station **on the first Monday of every month** between **10.00 a. m. and 1.00 p. m.** till the conclusion of the trial, except if the date in the trial Court falls on Monday;

(iii) The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iv) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(v) The Applicant to cooperate with the conduct of the trial.

5. The Application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)