

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2682 OF 2019**

Anita Pandit Ahire alias

Anita Rajkumar Kamble

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Prabhanjay R. Dave for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

API Mr. Tanaji D. Rode from Chitalsar Police Station, Thane City, is present

CORAM : REVATI MOHITE DERE, J.
MONDAY, 14th OCTOBER 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks her enlargement on bail in connection with C.R. No. I-90 of 2019 registered with the Chitalsar Police Station, Thane City, for the alleged offences punishable under Sections 370(2)(3) r/w 34 of the Indian Penal Code and under Section 4 and 5 of the Immoral Traffic (Prevention) Act.

3 Perused the papers. According to the prosecution, on receiving secret information that under a portal by name `Pranali Massage Home

Center and Oram Spa', prostitution activities were going on, a raid was conducted. In the said raid, two women aged 39 years and 30 years were rescued. The allegation as against the applicant is that she had given the said portal online.

4 A perusal of the statements of both rescued girls *prima facie* do not show that any prostitution activities were going on. What they have stated is that they used to visit customers for the purpose of giving massage.

5 Learned counsel for the applicant states that the applicant has no antecedents. Statement accepted. The applicant is in custody since 10th April 2019. Investigation is complete and charge-sheet is filed.

6 Considering the role of the applicant and considering that there are no allegations as against the applicant, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- with one or two local sureties in the like amount;

- (ii) The applicant shall attend the concerned Police Station on the first Saturday of every month from 10:00 a.m. to 11:00 a.m. for a period of 12 months from the date of her release;
- (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 her latest place of residence and mobile contact number 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 and attend all the dates before the trial Court, unless exempted;
- (vi) The applicant shall file an undertaking with regard to clauses (ii) to (v) in the trial Court, within two weeks of her release;
- (vii) If there are two consecutive defaults either in attending the Police Station or in appearing before the trial Court, or breach of any

of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

7 The application is accordingly disposed of.

8 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.

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

REVATI MOHITE DERE, J.