

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2796 OF 2019**

Nityanand Narayan Shetty	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Sanjay R. Singh for the Applicant

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

PSI Mr. Tushar Kale from Powai Police Station, Mumbai, is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 18th OCTOBER 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 408 of 2019 registered with the Powai Police Station, Mumbai, for the alleged offences punishable under Sections 370(2), 370(A), 34 of the Indian Penal Code and under Sections 3, 4, 5 of Immoral Traffic (Prevention) Act.

3 Perused the papers. According to the prosecution, on receiving secret information on 17th July 2019, the police attached to Social Security

and Crime Branch, Mumbai, laid a trap with the help of a bogus/dummy customer on Hotel Tourist Restaurant, where allegedly prostitution business was going on. The dummy customer confirmed that illegal trade of prostitution was being conducted by accepting money. Pursuant thereto, girls were rescued and the applicant and others were arrested.

4 A perusal of the statements of the two rescued girls aged 19 and 20 years show that the allegations are essentially against co-accused Rukhsana and Anjali and that the girls were induced into prostitution by Rukhsana and Anjali and were sent to different hotels for prostitution. As far as the applicant is concerned, he is alleged to be the Manager/Cashier of Hotel Tourist Restaurant. The allegation as against the applicant is that he did not make necessary entries of the persons using the said room and accepted money without making any entry. The applicant has no antecedents. The applicant is in custody since July 2019. Investigation is complete and charge-sheet is filed.

5 Considering the aforesaid, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be released on cash bail in the sum of Rs. 20,000/-, for a period of six weeks;
- (ii) The applicant shall within the said period of six weeks, furnish P.R. Bond in the sum of Rs. 20,000/- with one or more sureties in the like amount;
- (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 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.

6 The application is accordingly disposed of.

7 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.

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

REVATI MOHITE DERE, J.