

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

ANTICIPATORY BAIL APPLICATION NO.2566 OF 2019

Bharat Pandurang Jadhav

.. Applicant

Vs.

State of Maharashtra

.. Respondent

.....
Mr.Rahul Thakur, Advocate for the Applicant.
Mr.H.J. Dedhia, APP for the Respondent - State.

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CORAM : PRAKASH D. NAIK, J.

DATED : DECEMBER 17, 2019.

P.C. :

The applicant is apprehending arrest in connection with C.R.No.35 of 2019, registered with MIDC Solapur City Police Station, Solapur, for the offences punishable under Sections 3, 4, 5, 6 of Immoral Traffic (Prevention) Act and Section 370, 370-A(2) of Indian Penal Code ("IPC", for short).

2 The case of the prosecution is that on receipt of secret information, raid was conducted by MIDC Police Station at Nayan Hotel. Three victims were found indulging in prostitution. Upon inquiry with them it was revealed that the two victims were brought by the Applicant. The statements of the victims were recorded. The co-accused were arrested. Charge-sheet is filed against the co-accused and they were granted bail.

3 The applicant had preferred an application for anticipatory bail before the Sessions Court, which has been rejected.

4 Learned counsel for the applicant submits that there is no evidence to substantiate the charge under the provisions of Sections 370, 370-A(2) of IPC. The manager of the hotel was arrested and he is granted bail. The applicant is willing to co-operate with the investigation. The statements of victims do not attribute role of exploitation to the applicant.

5 Learned APP submitted that the statements of victims were recorded. They were induced to come to hotel under the pretext of allowing them to perform the orchestra and, thereafter, they were induced to indulge in prostitution. It is also submitted that one more case is registered against the applicant.

6 The manager of the hotel is already arrested and he is subsequently granted bail. The statements of the witnesses indicate that they are major. One of them was from Solapur and the other one is from Malvani, Mumbai and the third victim is from West Bengal. The statement do not mention that they were forced to indulge in prostitution. In the circumstances, custodial interrogation of the applicant is not necessary. However,

considering the fact that one more case is registered against the applicant with same police station, stringent conditions can be imposed upon him.

8 Hence, I pass the following order:

:: O R D E R ::

- (i) Anticipatory Bail Application No.2566 of 2019, is allowed;
- (ii) In the event of arrest of the Applicant in connection with C.R.No.35 of 2019, registered with MIDC Solapur City Police Station, Solapur, he be released on bail on his executing P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount;
- (iii) Applicant shall report to investigating officer on 20th, 21st and 23rd December, 2019, between 10:00 a.m. to 01:00 p.m.;
- (iv) Applicant shall stay out of the jurisdiction of MIDC Solapur Police Station, Solapur;

- (v) Applicant shall not visit the place of residence till further orders;
- (vi) Anticipatory Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)