

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

CRIMINAL BAIL APPLICATION NO. 3237 OF 2018

Sahidul Emam Ali Sardar ... Applicant
Vs.
The State of Maharashtra & Anr. ... Respondents

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Mrs. Priyadarshana Shah for the applicant.
Ms. A.A. Takalkar, APP for the Respondent-State.
Mr. Thakur, P.O. Palghar Police Station is present.

...
CORAM : PRAKASH D. NAIK, J.
DATE : 25th JANUARY, 2019.

P.C.

1. This is an application for bail in CR No. 156 of 2017 registered with Palghar Police Station for the offence punishable under Section 370(A), 370(3), 376, 323, 341, 120(B), 328, 504, 506 of Indian Penal Code read with Sections 4, 6, 8 & 12 of POSCO Act read with Section 14 of Foreign Act and Section 3(A), 6(A) of the Passport Act.

2. According to the complainant, she came from Bangladesh to Mira Road, Mumbai for working in a dance bar. She has alleged that instead of giving her work in a dance bar, she was compelled to indulge in prostitution activities. Co accused Milan had sold her to another accused Deepak and thereafter co-accused alongwith

others, compelled her into prostitution activities. Statement of four of the victim girls were recorded, three of them are major and one was minor.

3. Role which is allegedly attributed to the applicant is that applicant was collecting the amount which is proceeds of the prostitution activities and remitted by Hawala transaction. However, there is no evidence to substantiate the said fact. Agents involved in the alleged prostitution activities were arrested and they were granted bail vide Bail Application No. 258 of 2018 and Bail Application No. 1153 of 2018 vide order dated 15th March, 2018 and 9th August, 2018 respectively. Applicant was arrested on 20th September, 2018. There is no evidence that applicant was involved in the prostitution activities or party to act of exploiting victims. Considering the aforesaid circumstances, bail can be granted to the applicant. Hence, I pass the following order.

ORDER

- i. Criminal Bail Application is allowed;
- ii. Applicant is directed to be released on bail in connection with CR No. 156 of 2017 registered with Palghar Police Station on furnishing P.R. Bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

- iii. Applicant shall report to the concerned police station once in a month on first Saturday between 11 a.m. to 1 p.m. till further order;
- iv. Applicant shall furnish the details of his residential address to the Investigation Officer after he is released on bail;
- v. Application stands disposed off.

(PRAKASH D. NAIK, J.)