

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

CRIMINAL BAIL APPLICATION NO. 17 OF 2020

Swapnil Namdeo Khade	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Satyavrat Joshi i/b Sunil S. Kamble, Advocate for the Applicant.
Smt. Veera Shinde, APP for the state-respondent.

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CORAM : PRAKASH D. NAIK, J.
DATE : 9th January, 2020

PC :

1. This is an application for bail in connection with C.R. No. 183 of 2019 registered with Bhudargad Police Station, Dist. Kolhapur for offences punishable under Sections 370 r/w Section 34 of Indian Penal Code and Section 3, 4, 5 & 6 of Immoral Traffic Prevention Act and Section 65(E) of the Bombay Prohibition Act.
2. The applicant was arrested on 9th December, 2019 and since then he is in custody. The case of the prosecution is that on 9th December, 2019 the police had conducted raid on the basis of secret information at Atharv Raj Hotel with the help of Panchas and bogus customer. Four victim girls were rescued. The applicant was found in the premises as customer. Undisputedly, the applicant is not involved in connection with alleged prostitution activities conducted by the co-accused.

3. Learned counsel for the applicant has relied upon the decisions of the Gujarat High Court delivered in the Criminal Misc. Application No. 8156 of 2017 and the Karnataka High Court in Criminal Petition No. 8055 of 2016. It is submitted that the customer cannot be impleaded as an accused for such offence. In this case the applicant is in custody since 9th December, 2019. Considering role attributed to the applicant and submissions advanced by the counsel appearing for the applicant, bail can be granted.

4. Hence, I pass the following order.

ORDER

- i) Bail Application No.17 of 2020 is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 183 of 2019 registered with Bhudargad Police Station, Dist. Kolhapur on furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
- iii) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)