

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 131 OF 2020

Anjali Sherbahadur SinghApplicant

v/s.

The State of MaharashtraRespondent

Mr. Sanjay R. Singh, Advocate for the applicant.

Smt. Sharmila Kaushik, APP for the State.

PSI, Tushar Kale, Powai Police Station present.

CORAM : SANDEEP K. SHINDE, J.***Tuesday, 11 February, 2020.*****P.C. :**

1. Heard.
2. Applicant seeks her enlargement on bail in connection with Crime No. 408/2019 registered with Powai Police Station for the alleged offences punishable under Sections 370(2), 370(A) read with Section 34 of the Indian Penal Code alongwith

Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.

2. Two girls, aged 19 and 20 years were rescued by the Social Security and Crime Branch, Mumbai in a trap laid on Hotel Tourist Restaurant on the basis of secret information received by the informant. The role attributed and alleged against the present applicant is that, she had induced the rescued girls into prostitution. It may be stated that, both rescued girls (victims) were 19 and 20 years old when the incident had taken place. Therefore, the 'age' of the victim has relevance while dealing with Bail Application. Prima-facie, the age of the victim indicates that they had attained the age of majority and were able to understand the act they were consenting to.

3. The investigation in the case is over. The owner and manager of the establishment have been released on bail. Prosecution has not brought to my notice any criminal antecedents of the applicant. The trial may not commence and

conclude in the near future but the applicant's presence for the trial can be secured by imposing conditions.

3. Applicant is therefore directed to be released on cash bail in the sum of Rs.20,000/- for a period of six weeks.

4. 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.

5. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

6. 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.

7. The applicant shall co-operate with the conduct of the trial and attend all the dates before the trial Court, unless exempted.

8. The Bail Application is accordingly allowed and disposed off.

9. It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of refusal to grant bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)