

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1021 OF 2021**

Sagar Kishor Patil ... Applicant

V/s.

The State of Maharashtra ... Respondent

Mr.M.S. Mohite, Senior Counsel I/b. Mr. Ritesh Thobde, Advocate for the Applicant.

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

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 3rd MAY 2021.

PC. : Through Video Conferencing.

1. Heard the learned Senior Counsel for the applicant and the learned APP for the Respondent – State.

2. This is an application under section 439 of Code of Criminal Procedure, 1973. The applicant herein is arrested on 17th January 2020 in Crime No.45 of 2021 registered at Faujdar Chavadi Police Station, District Solapur for the offences punishable under section 3700(1), (2), (3) of Indian Penal Code and under sections 3, 4, 5, 6 of Immoral Traffic (Prevention) Act, 1956.

3. It is the case of the prosecution that on 16th January 2021 on the basis of a secret information, the Police Officer appointed under the Immoral Traffic (Prevention) Act, 1956 from the Social Service Branch had raided Harshad Lodge. They had taken decoy customer. It is alleged that they found a girl aged about 20 years old who was involved into immoral trafficking and prostitution. A person present in Harshad Lodge viz. Sagar Patil is the present applicant present in the lodge. There was one more girl aged about 21 years old. Their statements were recorded and they disclosed to the Police that one Mrs. Shankarsan Biswal had brought them to Harshad Lodge for the purpose of prostitution. They had also named the present applicant along with Mr. Shankarsan. The statements of the victim girls were recorded on the second occasion and they had stated that they had given their false names on the day of the raid. It is admitted that they were not forced into prostitution.

4. The applicant herein has placed on record the leave and license agreement executed between the applicant and Shankarsan Biswal who is original resident of Odisha. The applicant happens to be the owner of the premises. The applicant had executed the said agreement on 28th November 2018 initially for a period of 22 months.

Thereafter, the said license was renewed in the year 2021 for two years. It is specifically submitted that on the day of the raid Mr.Shankarsan was running the Hotel. The applicant had no concern with the affairs of the running the said business. On that day, he was called to the premises by the Police to inform him that the premises have been raided.

5. In any case, investigation is completed and charge sheet is filed on 4th February 2021. In view of this, further incarceration of the present applicant is not warranted. Hence, the applicant deserves to be enlarged on bail. Hence, the following order :-

ORDER

- (i) Application is allowed;
- (ii) Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/- and one or more solvent sureties in the like amount;
- (iii) Application is disposed of on above terms.

(SMT. SADHANA S. JADHAV, J)