

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

***CRIMINAL BAIL APPLICATION NO.2495 OF 2021***

1. Usha Mukesh Chopade

2. Anita Sudhir Gawali

...Applicants

Versus

The State of Maharashtra

...Respondent

Mr. Ujwal R. Agandsurve for the Applicants

Mr. A. A. Palkar, A.P.P for the Respondent–State

**CORAM : REVATI MOHITE DERE, J.**

**WEDNESDAY, 22<sup>nd</sup> SEPTEMBER 2021**

**P.C. :**

1            Heard learned counsel for the parties.

2            By this application, the applicants seek their enlargement on bail in connection with C.R. No. 181/2021 registered with the Sadar Bazar Police Station, Solapur, for the alleged offences punishable under Sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act and Section 370(A)(2) of the Indian Penal Code.

3            Learned counsel for the applicants submits that the victim girls are all majors aged 28, 35, 36 and 28. He submits that a perusal of the statements of victim girls would show that they, on their own accord, have indulged in prostitution. He submits that the applicants have no antecedents and as investigation is complete and charge-sheet is filed, their further detention is not warranted.

4            Learned A.P.P does not dispute the fact that the applicants have no antecedents nor does he dispute that the four victim girls are major.

5            Perused the papers. On receipt of secret information, a raid was conducted at the residence of the applicants on 15<sup>th</sup> March 2021, as the information revealed that illegal prostitution activities were going on in the said house. In the said raid, four ladies were rescued and the applicants were arrested for the aforesaid offence. A perusal of the statements of the four ladies aged 28, 35, 36 and 28 show that they had gone to the applicant's house on their own accord, as they were in need of money and on their own accord, indulged in prostitution activities. *Prima facie*, there is nothing in the statements of the said four victim ladies to show that the applicants had induced them into prostitution. Investigation is complete

and charge-sheet is filed and as such further detention of the applicants is not warranted. Applicants have no antecedents.

6           Considering the aforesaid, the application is allowed and the applicants are enlarged on bail, on the following terms and conditions :

**ORDER**

(i)           The applicants be enlarged on bail, on executing PR Bond in the sum of Rs. 15,000/- each, with one or two sureties in the like amount;

(ii)          The applicants shall attend the concerned Police Station on the first Saturday of every month between 10:00 a.m. to 11:00 a.m, until framing of charge;

(iii)         The applicants shall inform their latest places of residence and mobile contact numbers immediately after being released 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;

(iv)         The applicants to cooperate with the conduct of the trial and attend the trial Court on all dates, unless exempted;

(v) The applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(vi) The applicants shall file an undertaking with regard to clauses (ii) to (v) in the trial Court, within two weeks of their release;

(vii) If there is breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicants' bail.

7 The application is accordingly disposed of.

8 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

9 All concerned to act on the authenticated copy of this order.

**REVATI MOHITE DERE, J.**