

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2846 OF 2021

RAGINI VIRPAKSHPPA MODI)...APPLICANT

V/s.

THE STATE OF MAHARASHTRA)...RESPONDENT

Mr.Ashok Tajane, Advocate for the Applicant.

Smt.P. P. Shinde, APP for the Respondent – State.

CORAM : V. G. BISHT, J.

**RESERVED ON : 22nd NOVEMBER 2021
PRONOUNCED ON : 29th NOVEMBER 2021**

P.C. :

1 The present application has been moved by the applicant under Section 439 of the Code of Criminal Procedure in Crime No.1165 of 2020 registered with Police Station Faujdar Chavdi, Solapur City, for offences punishable under Section 3, 4, 5 and 6 of The Immoral Traffic (Prevention) Act and under Section 370(1) (2) (3) of the Indian Penal Code (IPC).

2 It is the case of prosecution that on 11th November 2020 the informant, who is working with Immoral Traffic Prohibition Squad, Solapur, received a secret information that prostitution is going on in Santosh Lodge at Solapur. Accordingly, a raid was arranged. A decoy with three currency notes of 500 denomination was sent to the said lodge. At around 1.50 p.m. raid was conducted. The applicant along with one Kusum Manohar More (Khillare) was present in the lodge. The allegation against the applicant is that she had brought the victim to the said lodge for prostitution. Accordingly, First Information Report (FIR) was lodged.

3 Mr.Ashok Tajane, learned counsel for the applicant, submits that investigation is over and charge-sheet has been filed. Moreover, main accused, namely, Kusum Manohar More – owner of the lodge, has already been released on bail by this Court (Coram : Sarang V. Kotwal, J.) on 22nd February 2021. In such circumstances, the applicant also deserve to be released on bail.

4 Smt.P. P. Shinde, learned APP, on the other hand, opposed the submissions by contending that the applicant was instrumental in pushing the victim into flesh trade and thus her role is more serious than the other accused. There being no merit in the application, the same is liable to be rejected.

5 Perused the charge-sheet. I have also gone through the statement of victim who is an adult. She does say that as she was in need of money, she met the applicant who advised her to earn monies through prostitution. Thus, both of them had earlier also indulged in similar activity.

6 Having regard to the fact that investigation is over and the other accused has already been released on bail by this Court, in my considered opinion, no purpose would be served by keeping the applicant behind the bars. Hence, I pass the following order :

ORDER

- (i) Applicant – Ragini Virpakshppa Modi shall be released on bail in Crime No.1165 of 2020 registered with Police Station Faujdar Chavdi, Solapur City, on his executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in like amount.
- (ii) The applicant shall attend the Court proceedings regularly.
- (iii) Bail before the trial Court.
- (iv) Parties to act on copy of this order duly authenticated by the Sheristedar of this Court.
- (v) It is made clear that the observations made herein are prima facie and the trial Court shall decide the case on its own merit, in accordance with law, uninfluenced by the observations made in this order.

(vi) The application is allowed in the aforesaid terms and stands disposed off accordingly.

(V. G. BISHT, J.)