

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

CRIMINAL BAIL APPLICATION NO. 772 OF 2021

Smt. Kusum Manohar More	 Applicant
Versus	
The State of Maharashtra	 Respondent

Mr. Ritesh Thobde, for the applicant.
Mr. Ajay Patil, APP for the State/Respondent.

CORAM: SARANG V. KOTWAL, J.
DATE : 22nd FEBRUARY 2021

P.C. :

1. The Applicant is seeking her release on bail in connection with C.R.No. 1165 of 2020 registered at Faujdar Chavadi Police Station, District Solapur, on 11/11/2020 under Sections 3,4,5,6 of Immoral Traffic(Prevention) Act and under Section 370 (1)(2)(3) of the Indian Penal Code. The applicant was arrested on 11/11/2020 and since then she is in custody. The investigation is over and the charge-sheet is filed.

2. Heard Mr. Ritesh Thobde learned counsel for

the applicant and Mr. Ajay Patil, learned APP for the State.

3. The FIR is lodged by one Nafisabegum Sikandar Mujawar who was working with Immoral Traffic Prohibition Squad, Solapur. She has stated that on 11/11/2020 the police party received a secret information that prostitution was going on in Santosh Lodge at Solapur. The police party arranged to conduct raid. Panchas were called and bogus customer was also called. He was given three currency notes of Rs. 500/- denomination. Their numbers were noted. He was asked to give prearranged signal after the money was accepted. The police party went near the lodge. At around 1.50 p.m. the raid was conducted. The prearranged signal through a missed call was given by the bogus customer. He was found with the victim in a room. The applicant alongwith one Ragini was present in the lodge. Currency notes were found with Ragini. Both of them were arrested and the FIR was lodged. The allegations are that the applicant was the owner of the lodge.

4. Shri Thobade, submitted that the applicant is not concerned with the offence. She was not aware as to why the victim had come to her lodge. She was doing a legitimate business. He submitted that the victim herself has named only the co-accused Ragini for this offence and she has also stated that she was doing it with her own will and there was no force involved.

5. Learned APP relied on the FIR and other statements in the charge-sheet.

6. I have considered their submissions. I have perused the charge-sheet with the assistance of both the learned Counsel. Statement of victim does mention that the victim was an adult. She was 20 years of age. She was in need of money. She was residing separately from her husband. She met Ragini who suggested to her that she could earn money through prostitution. Both of them were involved such activities and there was 5 to 6 such instances. Ragini used to keep half of the money earned

by the victim.

7. Apart from the statement of the victim, there are statements of the other police officers and there is panchnama. At this stage, occurrence of the incident cannot be doubted. However, the applicant's role is much lesser than that of Ragini. The victim's statement does not show the applicant in any manner has forced the victim to indulge in such activities. The applicant is 66 years of age. She is in custody since 11/11/2020. Her further custody through the entire period of trial is not necessary. Therefore, I am inclined to grant bail to the applicant.

8. Hence the following order.

ORDER

- (I) In connection with C.R. No.1165 of 2020 registered with Faujdar Chavadi Police Station, Solapur, the Applicant is directed to be released on bail on her furnishing

PR bond in the sum of Rs.30,000/-
(Rupees Thirty Thousand Only) with one
or two sureties in the like amount.

- (II) The applicant shall attend the concerned
Police Station every fortnight for a period
of one year from today.
- (iii) The Application stands disposed of
accordingly.

(SARANG V. KOTWAL, J.)