

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

BAIL APPLICATION NO. 768 OF 2021

Rehana Mijanur Gazi @ Priya Prashant Behera ... Applicant

Versus

The State of Maharashtra ... Respondent

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Ms. Sahana Manjesh, for the Applicant.

Mrs. M. R. Tidke, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 11th MARCH, 2021

PC :

. This is an application for bail. The applicant is arrested in connection with C.R.No.174/2019 registered with D. B. Marg Police Station, Mumbai for the offences punishable under Section 370(3) of Indian Penal Code, 1860, Sections 3, 4, 5 and 7(1)(b) of the Immoral Traffic (Prevention) Act, 1956 as well as 3(1) read with Section 14 of the Foreigners Act, 1946 and under Section 3 and 6 of the Passport Act, 1967.

2. The applicant was arrested on 27th August 2019. The case of the prosecution, is that on 26th August 2019, information was received about the prostitution activity being conducted at the premises referred to in the F.I.R. The Police raided the premises. The

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applicant and five women were found engaged in the activities. The applicant was one of the victim. She was questioned about her identity documents. She furnished her Aadhar Card. It is alleged that the applicant was not having sufficient document to establish her identity and Citizenship and she was arrested. The other victims were released.

3. The applicant is relying upon the Aadhar Card which was issued in 2018. The contention of the applicant is that, she is residing in Mumbai since last several years. Learned APP however, submits that the applicant could not produce satisfactory documents to show the Citizenship or her identity.

4. It is pertinent to note that the other accused involved in prostitution activities were granted bail by the Sessions Court. The punishment provided applicant for the offences is charged against the most punishable with maximum imprisonment of five years. The applicant is in the custody for one and half year.

5. Considering these facts, that bail can be granted to the applicant.

6. Hence, the following order.

ORDER

- (i) Bail Application No.768 of 2021 is allowed;
- (ii) The applicant is directed to be released on bail in connection with C.R.No.174/2019 registered with D. B. Marg Police Station, Mumbai, on executing P.R. bond in the sum of Rs.25,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report concerned Police Station once in a month on first Saturday of the month between 11.00 a.m. to 01.00 p.m. till further orders;
- (iv) The applicant shall provide details about the the place of her residence to the investigating officer;
- (v) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)