

ISM

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 915 OF 2021

PANKAJ KALIPADA MANDAL

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Vikramsingh i/b Tarkeshwar Ajay Singh for the applicant
Mr. A. R. Kapadnis APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: NOVEMBER 22, 2021.

P.C.:

1] Case of the prosecution against the applicant who was arrested on 15/01/2020 is, of having indulged in such an act which has resulted into registration of offence under The Immoral Traffic (Prevention) Act, 1956, particularly Sections 3, 4, 5 & 7.

2] The applicant is alleged to have forced the victim girl into flesh trade against her wish and also committed an offence under Section 376, 365, 368, 328 and 506 (II) of the Indian Penal Code.

3] I have perused statement of victim/complainant and the material available on record.

4] Victim has claimed that she was kidnapped/abducted and brought to Bombay from Howrah by a train appears to be an unworthy story particularly having regard to the fact that she claimed to have travelled with general passengers. A claim that she was administered drink mixed with certain medicine which made her unconscious and then she was made to travel also cannot be believed. It appears that the story narrated in the F.I.R. is not reposing faith particularly the role attributed to the applicant. As such, false implication of the applicant cannot be ruled out.

5] Apart from above, learned APP on instructions informs that there are no criminal antecedents against the applicant. As such, in my opinion, case for bail is made out.

(i) Applicant be released on bail in C.R. No. 405/2019 registered with Nagpada Police Station upon furnishing

P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(ii) Applicant shall neither influence the prosecution witnesses in any manner nor tamper with the evidence.

(iii) Applicant shall regularly attend the trial, failing which Trial Court shall take out proceedings for cancellation of bail.

6] Application stands disposed of.

[NITIN W. SAMBRE, J.]