

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

BAIL APPLICATION NO.1103 OF 2021

Chandni Pradeep Kumar Prasad .. Applicant

Vs.

The State Of Maharashtra .. Respondent

Ms. Roshni Singh, Advocate for Applicant.

Mr. H. J. Dedhia, A.P.P. for the State-Respondent.

CORAM : PRAKASH D. NAIK, J.

DATE : 16th JUNE, 2021

PC.

1. The applicant is arrested on 1st November, 2019 in connection with C.R. No. 336 of 2019, registered with RCF Police Station, for the offences punishable under Sections 366(A), 370, 370(A), 372, 376 r/w. 34 of Indian Penal Code, 1860 ("IPC" for short) and Sections 4, 6, 8, 10 and 17 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act') and Sections 3, 4, 5, 7 of Prevention of Immoral Traffic (Prevention) Act, 1956 ("PITA" for short).

2. The case of the prosecution is that information was received by the police about prostitution activity being conducted by lady named Radha. Bogus customer was sent. Raiding party proceeded to the place of incident. Victim was found found at the premises. The co-accused Radha, Payal and applicant were arrested at the premises. Statement of victim

aged about 17 years was recorded. She stated that in September, 2019 the Co-accused Payal had taken her to one building. Customer was called. Amount was collected by Radha and Payal. Applicant was present at premises. At that time police raided premises. FIR was registered. Accused were arrested. Charge-sheet is filed.

3. Learned counsel for the applicant submitted that the applicant is in custody from the date of arrest. There are no criminal antecedents against her. She has been falsely implicated in this case. According to victim, she was taken to a lodge. However, she has not specified, which place she was taken. During the course of investigation, statement of two persons from two different lodges were recorded. Photograph of victim girl was shown to them. They have stated that the victim had never been to their lodge.

4. Learned APP submitted that the applicant's involvement is disclosed in the statement of victim. Co-accused Radha and Ashwini are on bail. The raid was conducted on receipt of information. While recording the statement, victim has allegedly stated that the co-accused had contacted her and she was taken to a lodge by changing her name. Investigation was conducted. The statement of lodge owner is recorded. They have stated that the victim had never been to their lodge. The applicant is a lady. She is in custody for substantial period of time. The victim was not subjected to sexual assault. Radha

Kodamanchili and Ashwini Waghmare were granted bail by this Court vide order dated 18.02.2021 and 26.04.2021. Considering these circumstances, bail can be granted to the applicant.

5. Hence, I pass the following order.

ORDER

- i) Bail Application No.1103 of 2021, is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 336 of 2019, registered with RCF Police Station on executing P.R. bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one or more sureties in the like amount;
- iii) The applicant is permitted to furnish provisional Cash Bail Security in the sum of Rs.25,000/- for a period of twelve weeks in lieu of surety;
- iv) The applicant shall attend Trial Court regularly on the dates of hearing of the

case, unless exempted by the Court;

- v) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)