

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Bail Application No. 1684 / 2021

Sanjay Chhetelal Singh and Ors. .. Applicants

Vs.

The State of Maharashtra .. Respondent

Mr. Jagdish S. Hegde, Advocate for Applicant.

Mrs. M.M. Deshmukh, APP for State.

Mr. Shriram Bhosale, P.S.I., Kasturba Marg Police Station, Mumbai.

CORAM : SANDEEP K. SHINDE J.

DATE : 2nd JUNE, 2021.

VACATION COURT (Through Video Conference)

P.C. : -

Heard.

1. It is an application for bail in connection with Crime No. 163 / 2021 registered with Kasturba Marg Police Station for the offences punishable under Sections 308, 294, 114, 188, 269, 270 read with

34 of the Indian Penal Code, 1860; Section 8 (4) (5) (6) of the Maharashtra Prohibition of Obscene Dance in Hotel, Restaurants and Bar Rooms and Protection of Dignity of Women (Working therein) Act, 2016 and under Section 51 (b) of the National Disaster Management Act, 2005.

2. It is prosecution case that on 27th March, 2021, the establishment by name 'Parkside Bar and Restaurant' was raided by the Respondents. It is alleged in the guise of singing musical orchestra, the waitress were exhibiting and indulging into the obscene and indecent acts. The Raiding Party conducted the search, whereupon female bar dancers were found hiding in inhuman condition in a room which had no ventilators. The investigation revealed Mr. Mishra was owner of the establishment and applicants are employees' of Mr. Mishra. Since they were present on the establishment, they were arrested on 28th March, 2021. Besides other employees in all fifteen persons, were arrested. It is submitted

except the Applicants, all have been granted bail by the learned Magistrate. It is submitted that the Investigation in this case is over and the charge-sheet has been filed.

3. It may be stated that the owner of the establishment Mr. Mishra is absconding and his whereabouts are not known. Investigating Officer is present in the Court. On his instructions, it is submitted that the establishment is sealed and not functioning. Investigation is over and charge-sheet has been filed.

4. In consideration of the facts of the case and particularly that the Applicants being employees' working in the establishment and co-accused have been granted on the bail and since investigation is over and a fact that the trial may not commence in the near future, in my view a case is made out for releasing the Applicants on the bail and hence the following order.

ORDER

(i). The Applicants are directed to be released on bail in connection with Crime No. 163 / 2021 registered with Kasturba Marg Police Station, on executing P.R. bond in the sum of Rs. 20,000/- (Rupees Twenty Thousand Only) each with one or two sureties in the like amount.

(ii). The Applicants shall furnish particulars of the their permanent residential address and contact details to the Investigating Officer forthwith.

(iii). The Applicants shall join the investigation as and when called.

(iv). The Applicants shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

5. Application is allowed and disposed of.

(SANDEEP K. SHINDE, J.)