

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

BAIL APPLICATION NO.2900 OF 2021

BHALCHANDRA
GOPAL
DUSANE

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BHALCHANDRA
GOPAL DUSANE
Date: 2021.10.22
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Maqbul Bilal Ansari Applicant

Vs.

The State of Maharashtra Respondent

Mr. Prabhanjay R. Dave for Applicant.
Ms. Sharmila S. Kaushik, APP for State.
Police Hawaldar, S.N. Shendge, Central Crime Branch, Mumbai

**Coram : NITIN W. SAMBRE, J.
Date : 21ST OCTOBER, 2021**

P.C.:

1. The applicant is seeking regular bail in Crime No.60 of 2021, registered with A.P.M.C. Police Station, for the offence punishable under Sections 376, 370, 366-B, 344, 346, 372, 373, 465, 471 read with 34 of Indian Penal Code, under Sections 3, 4 and 5 of PITA Act and under Sections 3 and 4, 5 (J)(II) of POSCO Act.. The applicant came to be arrested in the aforesaid crime on 24th February, 2021.

2. The prosecution case is, two victim girls were brought from Bangladesh and forced into prostitution. One of the girl was a minor and as such provisions of POCSO Act is invoked.
3. Counsel for the applicant submits that there are specific allegations as regards sexual offence by the applicant. It is further claimed that the allegations to the extent of offence under the provisions of PITA Act are appreciated by relying on the statement of victim to the extent of sharing the income earned out of prostitution business, maximum punishment provided is two years.
4. Overall appreciation of the evidence on record depicts that there are serious allegations against the co-accused of sexual offence. As far as the applicant is concerned, the allegations are only about facilitating victim-girls into the prostitution.
5. There are no criminal antecedents against the applicant. As such, a case for regular bail is made out. The application is allowed on following conditions :

ORDER

- (i) The applicant be released on bail in Crime No. 60 of 2021, registered with A.P.M.C. Police Station, on furnishing P.R. bond in the sum of Rs.15,000/- with one or more **local** sureties in the like amount.
- (ii) The applicant shall neither influence the prosecution witnesses in any manner nor tamper with the evidence.
- (iii) If there are 2 consecutive defaults in appearing before the trial Court, prosecution will be at liberty to apply for cancellation of Applicant's bail.
- (iv) If applicant is found involved in similar type of offence, liberty to move for cancellation of bail.

(NITIN W. SAMBRE, J.)