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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1884 OF 2022

**MEENABAI W/O. RUPCHAND MUSAWAT
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicants : Mr. Natu Sharad V.
APP for Respondent/State : Mr. A.A. Jagatkar

...
CORAM : S.G. MEHARE, J.

DATED : 07th DECEMBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant has been arraigned in the present crime on the allegations that she had let the house to the victim/complainant.
3. Learned counsel for the applicant would submit that there are no allegations against her that the applicant was involved in trafficking. The police are unnecessarily involving her in such cases; however, in many cases, she has been acquitted. There is no whisper in the charge sheet that the applicant got the share in the money earned out of prostitution. There is no prima facie evidence to show the involvement of the applicant; hence, she may be released on bail.
4. Learned APP has strongly opposed the application. He would submit that the applicant is repeatedly involved in similar crimes. With knowledge, she used to let her room to the unknown

girls who were brought in prostitution. The victim in her statement under Section 164 of the Criminal Procedure Code, alleged that the applicant received Rs.1 lac from the other accused and then her custody was handed over to her. There are series of crime of similar nature against her. Hence, she does not deserve bail.

5. Perused the papers. The victim has changed her version as regards the role attributed to the applicant in her two statements. The victim was 18 years old at the time of lodging the report. She had levelled no allegations against the applicant except she let her room to co-accused. During her six months stay in the room owned by the applicant, the victim never attempted to flee away. It is a matter of evidence whether the victim was involved in prostitution voluntarily or forced. The Court has to examine the allegations in the case before it. Considering the allegations levelled against the applicant, the Court is of the view that she deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Meenabai Rupchand Musawat, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.666 of 2022, registered at Shrirampur City Police Station, District Ahmednagar for the offence punishable under Sections 366(A), 368,

(3)

370(4), 370(7)(A)(1), 372, 373, 376(2)(n)(j) of the Indian Penal Code and under Section 3, 4, 5(g), 6, 17 of the Protection of Children from Sexual Offences Act, 2012, on the condition that the applicant shall not tamper with the prosecution evidence.

(iii) The applicant shall not involve in the similar offence.

(iv) The applicant shall attend the concerned police station on every 1st and 3rd Friday of the month between 11.00 a.m. to 01.00 p.m. till conclusion of the trial.

(S.G. MEHARE, J.)