

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

947 BAIL APPLICATION NO.2046 OF 2022

1. SANTOSH BHIMRAO YADAV
2. BABASAHEB SURESH SONWANE
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicants : Mr. Kawade Shrikant G.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 14.12.2022

PER COURT :-

1. Heard the learned counsel for the applicants and the learned APP for the respondent-State.
2. The applicants are languishing behind bars for the offence of immoral trafficking. The police had a secret information that the applicants were involved in the said business. Hence, a *punter* was sent in a lodge. On the signal of *punter*, the police took raid and found one woman, who was rendering flesh services on consideration. The police also found another lady rendering the same services in another room. On inquiry, the said women blamed the applicants and alleged against them that they were getting commission from each customer.

3. The applicants are claiming bail on the ground that they are falsely implicated in the crime. The police have no evidence that either of the applicant was the owner of the said lodge. Therefore, it cannot said that the applicants were involved in the activities of immoral trafficking. It has also been argued that applicant No.2 Babasaheb is a Police Patil. He has a good past. He rendered the remarkable services during Covid-2019 pandemic. He has heart ailments. Nothing is to be recovered from the applicants. They are not hardened criminals. Hence, he may be granted bail.

4. The prosecution has strongly opposed the application contending that the applicants have been involved in a serious crime of immoral trafficking. They were earning their livelihood from the said activities. The statement of the victim is material. They have directly alleged against the applicants. The investigation is in progress. If the applicants would be released on bail, they may tamper with the prosecution witnesses.

5. *Prima facie* material is available against the applicants that they were involved in the activities of immoral trafficking. They were getting commission from the victim. They were directly involved in immoral activities. The investigation is in

progress. There appears force in the apprehension of the prosecution of tampering with the witnesses. Considering the material against the applicants, the Court is not inclined to grant the bail at this juncture.

6. Hence, application stands dismissed.

(S. G. MEHARE, J.)

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vmk/-