

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

BAIL APPLICATION NO.2763 OF 2022

Ruksar Javed Khan
Aged 20 yrs, Occ: Household,
R/o Kurban Husain Nagar,
Behind Taluka Police Station,
Dist-Solapur, District Central Prison
Solapur (IN JAIL) ...Applicant.
Versus
The State of Maharashtra
Through Vijapur Naka Police Station,
District-Solapur.Respondent.

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Mr Rahul B. Vijaymane, Advocate for the Applicant.
Mr M.G.Patil, APP for the State.

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CORAM : R. N. LADDHA, J.

DATE : 9 DECEMBER 2022.

P.C.:

Heard Mr R. B. Vijaymane, the learned Advocate for the Applicant, and Mr M.G. Patil, learned Additional Public Prosecutor for the State.

2. By this application, the Applicant is seeking bail in connection with C.R.No.156 of 2022 registered at Vijapur Naka Police Station, District-Solapur, against the Applicant for

the offences punishable under Sections 370(A)(2) of the Indian Penal Code and Sections 3, 4, 5, 6 of the Immoral Traffic (Prevention) Act, 1956.

3. It is the case of prosecution that on 4.4.2022, under secret information, a raid was conducted at the premises of one of the co-accused, and she was found to be running Brothel. The present Applicant instigates the victim for prostitution. During the investigation, it revealed that there was a conversation in between the victim and the present Applicant regarding running prostitution. The police had seized mobile handsets, cash amounts etc., from the spot of the incident.

4. Mr Rahul B. Vijaymane, learned Counsel appearing on behalf of the Applicant, submitted that the Applicant has been languishing in jail for more than eight months. He submitted that when the raid was conducted, the present Applicant was not found on the spot. The Applicant is just 20 years of age. It is further submitted that this Court has already granted bail to the co-accused, and there is no reason why the Applicant should continue behind bars. It is submitted that the Applicant has no criminal antecedents.

5. Mr M.G.Patil, learned Additional Public Prosecutor appearing for the State, submitted that the offence was committed in well-planned design by the accused. The offence is serious. It is submitted that the Applicant was actively

involved in the offence that led to the registration of the FIR against the accused persons.

6. This Court has perused the copy of the charge sheet filed along with the accompanying documents. The applicant has remained behind bars for more than eight months. Nothing was recovered at the behest of the Applicant. The Applicant is just 20 years old. There is nothing on record to show that the Applicant has criminal antecedents. One of the co-accused is already enlarged on bail. There are no minor victims.

7. In view of the above, the application is allowed in the following terms :

- a) The Applicant Ruksar Javed Khan be released on bail in connection with C.R.No.156 of 2022, registered at Vijapur Naka Police Station, District-Solapur, on furnishing a P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount to the satisfaction of the concerned Court.
- b) The Applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.
- c) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

7. All the parties to act on an authenticated copy of this Order.

[R. N. LADDHA, J.]