

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

BAIL APPLICATION NO. 2823 OF 2022

Ruksar Javed Khan	]	
Age 20 yrs, Occ: Household,	]	
Presently at Central Prison Solapur,	]	
Sangola.	]	Applicant/Accused.

Versus

The State of Maharashtra	]	
Through Vijapur Police Station,	]	
District-Solapur.	]	Respondent.

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Mr Rahul B. Vijaymane, Advocate for the Applicant.

Mr A.R. Kapadnis, APP for the State.

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CORAM : R. N. LADDHA, J.

DATE : 6 DECEMBER 2022.

P.C.:

Heard Mr R. B. Vijaymane, learned counsel appearing for the Applicant and Mr A. R. Kapadnis, learned Additional Public Prosecutor appearing for the Respondent-State.

2. By this application, the Applicant is seeking bail in connection with C.R. No. 187 of 2022 registered at Vijapur Naka Police Station, Solapur, against the Applicant for the offences

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

3. The Applicant was arrested on 25.04.2022 during the investigation. The Sessions Court rejected the application for bail filed by the Applicant. It is also an admitted position that all the co-accused persons were granted bail.

4. Mr R. B. Vijaymane, learned counsel appearing on behalf of the Applicant, submitted that the Applicant has been languishing in jail for about eight months. It is submitted that the investigation is completed, and the charge sheet has been filed. Therefore, the custodial interrogation of the Applicant is not warranted. It is submitted that all the victims are major and have not made any grievance against the Applicant. It is further submitted that all the co-accused persons were already enlarged on bail, and there is no reason why the Applicant should continue behind bars. It is submitted that the Applicant has no criminal antecedents.

5. Mr A.R. Kapadnis, learned Additional Public Prosecutor appearing for the State, submitted that the offence was committed in well-planned design by the Applicant. 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 about eight months. The Applicant is just 20 years old. There is nothing on record to show that the Applicant has criminal antecedents. Moreover, not a single victim appears to have made a grievance against the Applicant, and they all are major. The investigation is over, and the charge sheet is filed. In such circumstances, further detention of the Applicant is not warranted.

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. 187 of 2022 registered at Vijapur Naka Police Station, 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.

The Applicant shall furnish the permanent address and contact details to the Inspector of Police, Sangola Police Station and intimate the change, if any.

c) The Applicant shall regularly attend the proceedings before the jurisdictional Court.

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

[R. N. LADDHA, J.]

BIPIN
DHARMENDER
PRITHIANI

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DHARMENDER
PRITHIANI
Date: 2022.12.06
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