

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

CRIMINAL BAIL APPLICATION NO. 1994 OF 2022

Sunanda Shivanand Jembagi (swami)	...Applicant
Versus	
State Of Maharashtra	...Respondent

**WITH
CRIMINAL BAIL APPLICATION NO. 1499 OF 2022**

Datta Haribhau Bhosale	...Applicant
Versus	
State Of Maharashtra	...Respondent

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Mr. Rahul B. Vijaymane, Advocate for the Applicant.

Mr. A. A. Palkar, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 10th OCTOBER, 2022

PER COURT:

1. Both the applicants were arrested on 25.01.2022 in connection with C.R. No. 44 of 2022 registered with Jodbhavipeth Police Station, Solapur City for offence punishable under Sections 3, 4, 5, 6 of PITA Act and Section 370-A(2) of the Indian Penal Code.

2. The case of the prosecution is that on 25.01.2022 the information was received about the prostitution activities being conducted at the house of one of the accused. The

police arranged raid. They proceeded at the place of incident. The accused were found at the spot. Victim was also found at the spot. The victim is aged about 25 years. The investigation is completed and charge-sheet is filed.

3. Learned advocate for the applicant in Bail Application No.1994 of 2022 submitted that the applicant is a lady. There was no exploitation. Statement of the victim itself indicate that she was indulging in prostitution for earning. She is major girl. Further detention of the applicant is not necessary. There are no criminal antecedents against applicant.

4. Learned advocate for the applicant in Bail Application No. 1499 of 2022 submitted that the applicant is attributed role of bringing customers at the place of the incident. There is no evidence to show that the applicant had forced the victim into for prostitution.

5. Learned APP submitted that the accused used to share the earnings of the victim which amounts to exploitation.

6. The applicants are in custody from the date of arrest. It appears that there are no criminal antecedents against them. Victim is major girl. It is not alleged that victim was

forced into alleged activities by accused. Investigation is completed and charge-sheet is filed. Further detention of the applicants is not necessary.

ORDER

(i) Criminal Bail Application No. 1994 of 2022 and 1499 of 2022 are allowed;

(ii) The applicants are directed to be released on bail in connection with C.R. No. 44 of 2022 registered with Jodbhavipeth Police Station, Solapur City on executing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount;

(iii) The applicant in Bail Application No. 1499 of 2022 shall report concerned Police Station once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;

(iv) The applicant in Bail Application No. 1994 of 2022 shall report concerned Police Station once in three months on first Saturday of the month between 11:00 a.m. to 1:00 p.m. till further order;

(v) The applicants are permitted to furnish provisional cash bail security in the sum of Rs.25,000/- each for a period of eight weeks in lieu of surety.

(vi) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)