

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2338 OF 2022

Nirmala S. Rajput

...Applicant

V/s.

State of Maharashtra

...Respondent.

Mr. Kamran Shaikh a/w. Mr. Sagar Tambe, Mr Changdev Shingade i/ b Mr. Ritesh Thobde for the Applicant.

Mr. V.B. Konde-Deshmukh, APP for the Respondent- State.

Ms Vijayalaxmi S. K., Police Inspector attached to AHTV/Solapur City is present.

CORAM : N.R. BORKAR, J.
DATE : 14.11.2022.

P.C. :

. This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicant came to be arrested in C.R. No. 156 of 2022 registered at Vijapur Naka Police Station, Solapur for the offence punishable under Section 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 the prosecution that on 4 April 2022, pursuant to the secret information, a raid was conducted at the premises of the applicant and she was found to be running brothel.

4. I have heard the learned Counsel for the applicant and the learned APP for the State.

5. The learned Counsel for the applicant submits that the applicant is in jail since 11 April 2022 i.e. approximately for seven months. It is submitted that there are no criminal antecedents. It is submitted that further detention of the applicant is not warranted as investigation is over and charge-sheet is filed. It is submitted that the applicant be thus released on bail.

5. On the other hand, the learned APP for the State submits that considering the nature of offence, the applicant may not be released on bail.

6. There are no minor victim. Considering this fact and as the applicant is in jail since 11 April 2022, I am inclined to release the applicant on bail. Hence, the following order is passed :

ORDER

(i) Application is allowed.

(ii) The applicant be released on bail in C.R. No. 156 of 2022 registered at Vijapur Naka Police Station, Solapur for the offence punishable under Section 370(A)(2) of the Indian Penal Code and Sections 3, 4, 5, & 6 of the Immoral Traffic (Prevention) Act, 1956 on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(iii) The applicant shall not tamper with the prosecution evidence.

[N.R.BORKAR, J.]