

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.4133 OF 2021

Nagnath Sopan Bansode ... Applicants
Vs.
The State of Maharashtra ... Respondent

Mr.S.P. Rajepandhare for the Applicant.
Ms.M.R. Tidke, APP for the Respondent –State.

CORAM : C.V. BHADANG, J.

DATE : 4 JANUARY 2022
(Through Video Conferencing)

NILAM
SANTOSH
KAMBLE

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NILAM SANTOSH
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P.C.

. This is an application for bail. The Applicant is a co-accused in an offence under Section 370(A) of Indian Penal Code and Sections 3,4,5 and 6 of the Immoral Traffic (Prevention) Act.

2. The prosecution case is that the Applicant was working as a Manager at Lotus Lodge at Solapur of which one Mainuddin Shaikh was the owner. In a raid conducted on the said hotel, on prior information, in which the co-accused Sushil Shinde who was present on the hotel was found to have brought two girls aged about 25 and 32 years for purposes of prostitution. A decoy customer was sent, with marked currency notes, which

were recovered during the course of the raid. One of the girls who was aged about 25 years was found sitting in one of the rooms i.e. Room No.102 of the Lodge with the decoy customer.

3. Indisputably, the Applicant was working as a Manager and the complaint dated 17 June 2021 filed by Head Constable Rajebndra Maruti Bandgar of the Social Service Branch states that it was Mr.Sushil Shinde who had allegedly brought two girls for the purposes of prostitution.

4. In this case, the investigation is complete and the charge-sheet is filed. The applicant was arrested on 17 June 2021. The offence is Magistrate triable, with a maximum punishment of 5 years under Section 370(A)(2) of Indian Penal Code. *Prima facie* the offence under Section 370A(1) may not be made out as none of the girls found were minors.

4. There are no Criminal antecedents to the discredit of the present applicant.

5. Considering the overall circumstances I find that discretion can be exercised, subject to the conditions. Hence following order is passed.

ORDER

(i) The applicant be released on bail in Crime No.447/2021 of Solapur Taluka Police Station, Solapur on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties, in the like amount.

(ii) The applicant shall not leave the jurisdiction of the learned Magistrate without prior intimation.

(iii) The applicant shall not directly or indirectly engage in any similar act or make an attempt to contact the victim and shall not otherwise tamper with the prosecution evidence/witnesses.

(iv) In the event of breach of any of the conditions, the bail is liable to be cancelled.

(v) The Criminal Application is disposed of in the aforesaid terms.

C.V. BHADANG, J.