

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3228 OF 2022

1] Prabhakar Gulab Madane
2] Umesh Bramha Shinde ... Applicants

Versus

The State of Maharashtra ... Respondent

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Mr. Tukaram Venjane for the Applicants.
Mr. P.H. Gaikwad Patil, APP for the State.
PC Mr. Somnath Rohidas Supekar, Yavat Police Station, present.

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CORAM : N.R. BORKAR, J.

DATED : 16 DECEMBER 2022

P.C. :-

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

2. The applicants came to be arrested in Crime No. 924 of 2022 registered at Yawat Police Station, Pune for the offences punishable under Section 370(3) of Indian Penal Code and Sections 3, 4, 5, 8 of the Immoral Traffic (Prevention) Act, 1956.

3. It is the case of the prosecution that on 4th November 2022 on the basis of secret information, the raid was conducted at Jolly Lodge and the present applicants and other co-accused were found to be running the brothel, there.

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

5. The learned Counsel for the applicants submits that the applicant is in jail since 5 November 2022. It is submitted that there are no criminal antecedents. It is submitted that investigation is over and therefore, further detention of the present applicants is not warranted. It is submitted that considering these facts and circumstances, the applicants may be released on bail.

6. On the other hand, the learned APP for the State submits that the applicants are involved in serious offence of running brothel. It is submitted that the victims were induced to indulge in prostitution activity. It is submitted that considering the nature of offence, the applicants may not be released on bail.

7. All the offences are punishable for less than seven years. The applicants are in jail since 5 November 2022. There are no criminal antecedents. The investigation is over. Considering these facts and considering the fact that there are no minor victims, I am inclined to release the applicants on bail. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicants - 1] Prabhakar Gulab Madane and 2] Umesh Bramha Shinde be released on bail in Crime No. 924 of 2022 registered at Yawat Police Station, Pune for the offences punishable under Section

370(3) of Indian Penal Code and Sections 3, 4, 5, 8 of the Immoral Traffic (Prevention) Act, 1956 on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.

(iii) The applicants shall attend the concerned Police Station, once in a month i.e. on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(iv) The applicants shall not give any threat or inducement to the prosecution witnesses.

(N.R. BORKAR, J.)