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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.936 OF 2023

**GOVIND LAXMAN GITTE AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA**

...
Advocate for Applicants : Mr. Gangakhedkar Shailendra S.
APP for Respondent/State : Ms. V.N. Patil Jadhav
...

CORAM : S.G. MEHARE, J.

DATED : JUNE 28, 2023

PER COURT:-

1. Heard learned counsel for the applicants and learned APP for the State.
2. The applicants are seeking bail in Crime No.34 of 2023 registered with Parli City Police Station, District Beed for the offence punishable under Section 3, 4, 5, 7(2)(c) of the Immoral Traffic (Prevention) Act.
3. The applicants are the owners and managers of the alleged lodge where the police took the raid and found two women involved in the prostitution. However, the charge sheet does not include their statements. If the prima facie case of the prosecution is about providing the lodge for prostitution. It is punishable for the first offence to the extent of three years and a fine of Rs.200/- or both. This is the first offence registered against the applicants. In the

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absence of any evidence whether the applicants were living on the earnings of the prostitution or keeping the brothel or allowing the premises to be used as a brothel, the detention of the applicants would be unjustifiable.

4. For the above reasons, the application deserves to be allowed. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) The applicants, Govind Laxman Gitte and Sham Chandrakant Munde, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) each with one solvent surety in the like amount each in connection with the above crime, on the conditions that they shall not tamper with the prosecution witnesses.
- (iii) The applicants shall attend the trial on each effective date.
- (iv) The applicants shall refrain themselves from providing the rooms for any illegal activities henceforth.

(S.G. MEHARE, J.)