

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1804 OF 2023

Munni Shaikh Alimoddin Applicant

Versus

The State of Maharashtra Respondent

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Mr. Y.G. Birajdar, Advocate h/f Mr. S.S. Jangada, Advocate for Applicant

Mr. K.S. Patil, APP for Respondent-State

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[CORAM : S. G. CHAPALGAONKAR, J.]

DATE : 19th OCTOBER, 2023

ORDER :

1. The applicant seeks regular bail in connection with Crime No. 352 of 2023 registered with Nanalpeth Police Station, District Parbhani for the offences punishable under sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.

2. Investigation was set in motion on the basis of the complaint given by Somnath Vasant Shinde, Police Officer at Nanalpeth Police Station. It is alleged that on 16.09.2023, on receipt of secret information, the police party arranged the raid along with *panchas* and decoy customers to find out brothel being run by accused. *Panchanama* was prepared between 20.27 to 20.43 hours. The police party reached at the spot along with decoy customers at about 21.06 hours. The decoy customers entered into premises to find out the truthfulness of the information received. On confirmation given by the decoy customers that brothel has been run in the

premises, police party took search of the premises and found that some women/girls are present in the premises, and offered for the prostitution. On the basis of the said information, Crime No. 352 of 2023 registered with Nanalpeth Police Station, District Parbhani for the offences punishable under sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956. The applicant has been arrested on the same day i.e. 26.08.2023. Since then, she is behind the bars.

3. Learned advocate appearing for the applicant would submit that the applicant has been falsely implicated in the aforesaid crime. There is nothing on record to indicate commission of offence as alleged. The material on record noway establish that the premises is used as brothel or the women found in the premises were procured for prostitution by accused. He would further submit that the offences are punishable with maximum punishment of imprisonment for five years. Hence, he urges to release the applicant on bail.

4. Learned A.P.P. informs that investigation is complete and charge-sheet is filed, which contains evidence depicting applicant runs brothel at the premises, and the decoy customers have confirmed on going prostitution. Hence, he urges to reject the application.

5. Having considered the submissions advanced, the prosecution case is based on the raid arranged through decoy customers. It is brought on record that the ladies found in the premises were originally resident of Thane or Badlapur. However, there is nothing on record to indicate that the applicant was running a brothel or she had procured them for prostitution by amusement. The women/girls are found at

premises during the raid are major. The allegations set out in the charge-sheet will have to be established during the trial. The investigation in the matter is complete. Further detention of the applicant would not be necessary. In that view of the matter, case is made out for grant of bail. Hence, the order.

O R D E R

- (i) Bail Application is hereby allowed.
- (ii) The applicant – MUNNI SHAIKH ALIMODDIN be released on bail in connection with Crime No. 352 of 2023 registered with Nanalpeth Police Station, District Parbhani for the offences punishable under sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956 on her furnishing P.B. & S.B. of Rs.50,000/- (Rupees Fifty Thousand), on the following conditions :-
 - [a] The applicant shall not tamper the prosecution evidence.
 - [b] The applicant shall attend each and every effective date before the trial court.
 - [c] The applicant shall not indulge in similar activity.
- (iii) Bail application is accordingly disposed of.

[S. G. CHAPALGAONKAR]
JUDGE