

Maria S.

IN THE HIGH COURT OF BOMBAY AT GOA
CRIMINAL APPLICATION (BAIL) NO.7 OF 2023

HAFIZ SYED BILAL (PRESENTLY IN
JUDICIAL LOCK UP AT MODERN JAIL
COLVALE)

... APPLICANT

Versus

STATE THR. PUBLIC PROSECUTOR AND
ANR

... RESPONDENTS

Mr Arun Bras De Sa with Mr Anoop A. Gaoker, Mr Sahil Sardessai, Mr Kyle D'Souza and Mr Alphy D'Souza, Advocates for the Applicant.

Mr S. G. Bhobe, Advocate for the Respondent State.

CORAM:- M. S. KARNIK, J.

DATED :- 27th March, 2023

P.C.

Heard learned counsel for the applicant.

2. This is an application for bail in respect of Crime No.25/22 dated 17.03.2022 registered with Crime Branch, Ribandar Police Station, for the offence punishable under Section 370(3) of the I.P.C. and Sections 4, 5 and 7 of the Immoral Traffic Prevention Act. In a raid that was conducted by the Police on 17.03.2022, three victims whose statements have been recorded were

rescued. It is alleged that the applicant is the one who committed the offence which is punishable under the aforesaid Sections. The allegation is that two of the victims were contacted by one Haridas Gandhi who promised them a job as they were in need of employment. Of the two victims, one of the victim informed the third victim that there is a job offer and that she could get employment. Shri Gandhi then contacted the present applicant to coordinate with the victims for the employment purpose.

3. From the statements of the victims, prima facie, it appears that they voluntarily accompanied the applicant and there appears to be no force used. These are, of course, prima facie observations made by me for the purpose of considering the present application for bail. It is pursuant to the raid that the victims have implicated the present applicant.

4. The applicant was arrested on 17.03.2022. The applicant is in custody for more than one year. Though the trial has commenced which fact has been so recorded in the Order dated 17.10.2022 and 21.11.2022 of this Court, but, since then, I am informed that there has hardly been any progress. There appears to be difficulty on the part of the prosecution in effecting service on the victims. The trial is likely to take long time to conclude. There are no criminal antecedents reported against the applicant.

5. Learned Public Prosecutor Shri Bhobe strongly opposes the application. It is submitted that there is every likelihood of the applicant committing similar offence if released on bail.

6. Considering that there are no criminal antecedents against the applicant, the period the applicant has been in custody and the likelihood of the trial taking a longer time to conclude, the applicant can be enlarged on bail.

7. The applicant be released on bail on his furnishing PR bond in the sum of Rs.25,000/- with one or more sureties of like amount to the satisfaction of the trial Court. The applicant to attend the trial proceedings regularly. The applicant shall furnish his residential and contact details to the Investigating Officer. The applicant to report to the Investigating Officer once in a month on every first Monday between 10:00AM and 11:00AM commencing April 2023.

8. The application is disposed of.

M. S. KARNIK, J.