

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.878 OF 2023

Sangram V. Shevare
V/s.

...Applicant

The State of Maharashtra

...Respondent.

Mr. Ashok Mundargi, Sr. Advocate i/b Mr. Jayant Bardashkar for the Applicant.

Mrs. Veera Shinde, APP for the Respondent/State.

PSI Sunila Shelake, Shahapuri Police Station, Kolhapur

CORAM : N.R. BORKAR, J.
DATE : 28.03.2023.

P.C. :

1. This is an application under Section 438 of Code of Criminal Procedure for anticipatory bail.
2. The applicant is apprehending his arrest in Crime No.246 of 2023 registered at Shahupuri Police Station, Kolhapur for the offences punishable under Section 370 of the Indian Penal Code and Sections 3,4,5,6 and 7 of the Immoral Traffic (Prevention) Act.
3. On 2 March 2023 a raid was conducted at Hotel City Crown and Manager of the said hotel namely Mahadeo Jadhav, who is co-accused in the present crime was found to be running brothel there. According to the prosecution, the present applicant was running the said hotel on leave and license basis and was running the brothel in the hotel through co-accused Mahadeo Jadhav.
4. I have heard the learned Senior Counsel appearing for the

applicant and the learned APP for the respondent / State.

5. The learned Senior Counsel for the applicant submits that the applicant was President of Rotary Club Kolhapur and is an active Member of Indian Red Cross Society. It is submitted that the family of the applicant consists of his wife who was a Primary School Teacher, the son who is an Engineer and is presently working in USA and the daughter who is a Dentist.

6. The learned Senior Counsel further submits that the applicant, in addition to the hotel in question, is the owner of Hotel Dream Land and owns about 20 Acres of agricultural lands. It is submitted that the applicant is financially sound and therefore, there is no reason for him to run a brothel. It is submitted that even otherwise there is no incriminating material to connect the applicant with the alleged crime. It is accordingly, submitted that the applicant may be released on anticipatory bail.

7. On the other hand, the learned APP for the respondent/ State submits that the co-accused Mahadeo Jadhav was appointed as a Manager by the present applicant who was running the brothel in the hotel in question. It is submitted that considering the nature of offence, the applicant may not be released on anticipatory bail.

8. I have perused the statement of victim. In the said statement, there is nothing incriminating against the present applicant. Nothing incriminating could be elicited during the

interrogation of arrested co-accused. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on anticipatory bail. In the result the following order is passed.

ORDER

- A) The Application is allowed.
- B) In the event of arrest of the applicant in C.R. No. 246 of 2023 registered at Shahupuri Police Station, Kolhapur for the offences punishable under Section 370 of the Indian Penal Code and Sections 3,4,5,6 and 7 of the Immoral Traffic (Prevention) Act, he be released on bail on executing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- C) The applicant shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

[N.R.BORKAR, J.]