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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 1136 OF 2022

Arjun Jagdish Joshi Alias Arjun
Timelshina

..Applicant

VS.

The State of Maharashtra and ors.

...Respondents

Ms. Anandini Fernandes a/w Shanice Mansukhani, for the
Applicant.

Mr. S. H. Yadav, APP for the State. Ms. G. P. Mulekar, APP for
the State.

Mr. Swaroop Karade, for Respondent No.2.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 23, 2023

P.C. :

1. Heard learned counsel for the applicant and learned
APP.

2. This is an application for bail in respect of C.R.No. 52
of 2021 dated 22/10/2021 registered with Gorai Police
Station for the offence punishable under section 370(3) of
the Indian Penal Code, 1860, sections 4 and 5 of the
Immoral Traffic Prevention Act, 1956 and sections 12, 16,

17 and 18 of the Protection of Children against Sexual Offences Act, 2012 and sections 75, 81 and 87 of the Juvenile Justice (Care and Protection of Children), Act, 2015.

3. A raid was conducted by Gorai police when it was found from the place where the applicant (accused no. 2) was working as a Manager, there were girls of major age involved in prostitution. These 5 girls, 2 of them minor, were brought by accused no. 1-Rubby Munna Gupta to the premises of applicant where he was caretaker for the purpose of prostitution. The applicant was the caretaker of one of the premises from where 3 girls of major age were rescued. Accused no.3 was the caretaker and licensee of the adjacent premises from where 2 minor girls were rescued. Some currency notes amounting to Rs. 1,500/- were recovered from the applicant. Rs.5,500/- was recovered from accused no. 1 – Rubby Munna Gupta and from accused no. 3, Rs.1,000/- was recovered.

4. Accused no. 1- Rubby Munna Gupta who had brought these 5 girls has been released on bail by the Sessions

Court. Even accused no. 3 from whom around Rs.1,000/- was recovered has been released on bail by the Sessions Court. The role of the accused no. 3 is similar to that of the present applicant. From accused no.3, Rs.1,000/- was recovered and what was recovered from the applicant was Rs. 1,500/-.

5. The applicant is in custody since 22/10/2021 for a period of almost 1 year and 3 months with no possibility of the trial concluding any time soon. As the co-accused have been released on bail, on the ground of parity, the present applicant too can be released on bail. The charge-sheet is filed. The investigation is complete. There are no criminal antecedents reported against the applicant. The applicant is stated to be hailing from Nepal and hence it is necessary to impose some conditions on the applicant while releasing him on bail. Hence, the following order.

ORDER

(a) The application is allowed.

(b) The applicant – Arjun Jagdish Joshi Alias Arjun Timelshina in connection with C.R.No. 52 of 2021

dated 22/10/2021 registered with Gorai Police Station shall be released on bail on furnishing P.R. bond in the sum of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall deposit his passport with the trial Court. If he does not have a passport, he shall file an affidavit to that effect before the trial Court at the time of his release on bail.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant should not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer of the concerned Police Station and shall keep him updated, if there is any change.

(f) The applicant shall report to the Investigating Officer once in a month on every Sunday of the first week between 11.00 a.m. and 1.00 p.m.

6. The application is disposed of.

(M. S. KARNIK, J.)