

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1326 OF 2022

Sachin Namdev Ghaywat ...Applicant
V/s.
The State of Maharashtra and Anr. ...Respondents

Mr. Satheesh K.R. for the Applicant.
Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 03.05.2023

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No. 837 of 2017 registered at Yerawada Police Station, District Pune, for the offences punishable under Sections 370 and 370A of the Indian Penal Code (IPC), Sections 3, 4 and 5 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) and Sections 3,4 and 5 of the Immoral Traffic (Prevention) Act, 1956 (PITA Act).
3. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.
4. According to the prosecution, pursuant to secrete information, on 9 November 2017 a raid was conducted at the house of applicant and he was found to be running brothel. It is alleged that one of the victims was niece of the applicant. It is alleged that though she was minor, the applicant made her to indulge in prostitution activity.

5. In an affidavit filed by the minor victim, she has not supported the prosecution. Even otherwise, the applicant is in jail for more than five years and the trial has not commenced. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 837 of 2017 registered at Yerawada Police Station, District Pune, for the offences punishable under Sections 370 and 370A of the IPC, Sections 3, 4 and 5 of the POCSO Act and Sections 3,4 and 5 of the PITA Act, on furnishing 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 not enter into the limits of Pune city till conclusion of the trial, except to attend the dates before the trial court.

D] The applicant shall attend the concerned police station within whose jurisdiction he is going to reside after his release once in a month, i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

[N.R.BORKAR, J.]