

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1511 OF 2022**

**SHARADA
RANGNATH
WAHULE**

Aarti Virendra Shukla

....Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Rajani P. Kanojia i/b Mr.Monish Bhatia, Advocate for the Applicant.

Ms. Anamika Malhotra, APP for Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12th SEPTEMBER, 2023.

P.C. :

1. By this Application, the Applicant is seeking bail in Crime No.542 of 2019 registered with Mahatma Phule Police Station, Kalyan for the offence punishable under Section 370 (2), read with section 34 of Indian Penal Code ("IPC" for short) and Section 4 and 5 of Prevention of Immoral Traffic (Prevention) Act.

2. The Prosecution's case, is that, on a tip-off, the Anti Human Trafficking Cell, Thane. apprehended the Applicant and co-accused, his live-in relationship partner. Both were found living on the

earnings of Prostitution. Before apprehending the Applicant and co-accused decoy customer had called the Applicant on his mobile, whereupon the Applicant allegedly agreed to provide girl of his choice. After which he was asked to book a room in the Hotel, Sagar International. Applicant had demanded Rs.2,000/-(Two Thousand Only) from him. The pre-raid panchanama was drawn and Rs.2,000/-(Two Thousand Only) was given to the decoy customer. The victim girl was caught with decoy customer. Thereafter, crime was registered against the Applicant and co-accused.

3. It is contention of learned counsel for Applicant that, the co-accused has been released on bail by this Court (Coram : S. K. Shinde, J.) by order dated 20th August, 2021,. Applicant is entitled for bail on the ground of parity, as co-accused has been released on Bail. The role attributed to Applicant and co-accused is same.

4. Learned APP submitted that, role of Applicant is different then co-accused, who is released on bail, as Applicant had fixed the amount of Rs.2,000/-(Two Thousand Only) with decoy customer. If Applicant is released on bail he may threaten and influence prosecution witnesses. Hence, requested to reject the Application.

5. I have both learned counsel. Perused FIR and charge-sheet.

6. The co-accused has been released on bail by this Court (Coram : S. K. Shinde, J). The said order has not been challenged. The allegations against Applicant and co-accused are same. The Applicant is entitled for parity.

7. In view of above, I pass following order.

ORDER

(i) The Applicant be released on bail in Crime No. 542 of 2019 registered with Mahatma Phule Police Station Kalyan, on furnishing PR bond of Rs.30,000/- with one or two sureties in the like amount.

(ii) After his release from jail the Applicant shall attend the Mahatma Phule a Police Station, Kalyan once in a month i.e. on every 1st Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of charge.

(iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

- (iv) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)