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

ANTICIPATORY BAIL APPLICATION NO.1901 OF 2023

Farhana Amir Ansari	... Applicant
V/s.	
The State of Maharashtra	... Respondent

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Mr. Khwaja Shaikh a/w Mr. Abhay G. Dolas i/by Ms.
Rehana Nabdullah, for the Applicant.

Mr. Amit A Palkar, APP for the State-Respondent.

CORAM : AMIT BORKAR, J.

DATED : JULY 28, 2023

P.C.:

1. Apprehending arrest in connection with C.R.No.136 of 2023 registered with Kharghar police station, Navi Mumbai for offences punishable under Sections 370, 506 r/w 34 of the Indian Penal Code, 1860 (for short 'IPC') and under Section 3, 4 and 5 of Immoral Traffick Prevention Act, 1956 (for short 'ITPA'), the applicant is seeking relief of pre-arrest bail under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.PC.').

2. The prosecution case is that, the Anti-human trafficking Branch upon a secret information some unknown persons are providing girls for prostitution. Accordingly, a trap was laid and conducted raid on 20 April 2023 near Shiv S. Hotel, a bogus customer was sent for confirmation of information. It is alleged that, in raid co-accused Pranali Jogalekar and Firoz Khan were

found on the spot along with two victims and they were taken into custody. It is further alleged that upon enquiry victims have stated name of the present applicant.

3. The applicant, therefore, filed application under Section 438 of Cr.P.C. before learned Sessions Judge which came to be rejected by order dated 28 June 2023. Aggrieved thereby, the applicant has filed the present anticipatory bail application.

4. On perusal of the material on record including statements of victims recorded under Section 164 of the Code of Criminal Procedure, 1973, it appears that victims have stated that they had been in the said hotel for the purpose of dance performance. They were dance artist. In view of the said statements and in view of the filing of charge-sheet against the co-accused and considering the statements of victims, the applicant has made out a case for relief under Section 438 of Cr.P.C. Hence, following order:

a) In the event of arrest of applicant in connection with C.R.No.136 of 2023 registered with Kharghar police station, Navi Mumbai for offences punishable under Sections 370, 506 r/w 34 of IPC and under Section 3, 4 and 5 of ITPA, she be released on bail on furnishing P.R. bond of Rs.25,000/-, along with one or two sureties in the like amount.

b) The applicant shall remain present before the concerned police station on 1st, 3rd and 5th August, 2023 between 11:00 am to 2:00 pm thereafter, as and when called by the investigating officer.

c) The applicant shall not directly or indirectly make any

inducement, threat or promise to any witness acquainted with the facts of the case so as to dissuade her from disclosing such facts to the court or to any police officer.

d) The applicant shall not obstruct or hamper the police investigation and not to play mischief with the evidence collected or yet to be collected by the police.

e) The applicant shall, at the time of execution of the bond, furnish her address and mobile number to the investigating officer, and the Court concerned, and shall not change the residence till the final disposal of the case.

5. The anticipatory bail application stands disposed of in above terms. No costs.

(AMIT BORKAR, J.)