

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

ANTICIPATORY BAIL APPLICATION NO. 2236 OF 2023

Vinayak Ganpat Sonavane ...Applicant

Vs.

The State of Maharashtra ...Respondent

Mr. Sameer Parkar with yash Fadtare with Shrinath Badade
i/b Vaibhav Kadam, for Applicant.

Smt. A. A. Takalkar, APP for State.

Mr. Rahul C. Patil, Powai Police Station, Present.

CORAM:- N. J. JAMADAR, J.

DATED:- 6th DECEMBER, 2023

PC:-

- 1) Heard the learned Counsel for the parties.
- 2) This is an application for pre-arrest bail in connection with C.R. No. 368 of 2023, registered with Powai Police Station, Mumbai, for the offences punishable under Section 370 (3) read with Section 34 of Indian Penal Code, 1860 ("the Penal Code") and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.

3) When the application was listed before this Court on 10th August, 2023, this Court was persuaded to grant interim bail as it *prima facie* appeared that as on the date of the raid, the co-accused was running a Spa in the name of Fantasy Spa.

4) The learned APP, on instructions of the Investigating Officer, informs the Court that the applicant has appeared before the Investigating Officer and co-operated with the investigation.

5) For the reasons which weighed with this Court in granting the interim bail, especially the fact that the applicant had entered into a Leave and License agreement dated 21st May, 2023 with the co-accused Amir Mulla and the latter was running the Spa in the premises in question, a *prima facie* case is made out for making the order of interim bail absolute.

6) Hence, the following order.

ORDER

I) The order of Interim Bail dated 10th August, 2023 is made absolute on the terms and conditions incorporated therein.

II) The applicant shall henceforth appear before the Investigating Officer as and when directed.

III) The applicant shall regularly attend the proceedings before the jurisdictional Court.

IV) It is clarified that these *prima facie* observations are confined to determine the entitlement to pre-arrest bail only.

V) The application stands disposed.

[N. J. JAMADAR, J.]