



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

970 ANTICIPATORY BAIL APPLICATION NO. 704 OF 2024

Vijay Haribhau Lande

..APPLICANT

-VERSUS-

1. The State of Maharashtra
2. The Superintendent of Police

..RESPONDENTS

Advocate for Applicant : Mr.S.P. Mahale

APP for Respondent/State: Mr.M.K. Goyanka

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 20th June, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.0020 of 2024 registered with Shrirampur City Police Station, Shrirampur, Dist. Ahmednagar, for the offence punishable under sections 3, 4, 5, 7 of the Immoral Traffic (Prevention) Act, 1956.

2. It is the prosecution's case that on receipt of secret information regarding prostitution, informant Female police constable and other police staff made raid with the help of panchas at Adarsh Lodge, Ward no.5, Shrirampur. At that time, two persons were found at the counter of the Lodge. One person ran away from the spot. Police chased him but he did not find. The raiding party arrested one person, who told his name as Dhiraj Dingle and three women were found in the Lodge. On search of arrested accused Dhiraj and the women, condom packets, mobile phone and cash amount of Rs.500/- were found. It is alleged

that Rs.1,500/- were given to a dummy customer. Out of which, amount of Rs.1,000/- was in possession of accused Dhiraj. All the articles and cash amount came to be seized. Arrested women informed that accused Dhiraj was owner of Adarsh Lodge. He would call them for prostitution. He takes Rs.1,500/- from customer and give Rs.500/- to them and keeping Rs.1,000/- for him and Manager. The woman told name of person who ran away from the spot as Vijay Haribhau Lande i.e. present applicant. It is alleged that accused no.1 Dhiraj and the applicant compelled women for prostitution for their economical benefit.

3. It is contention of learned counsel for the applicant that the applicant has been falsely implicated in this case. He was not present at the time of incident. All the women found on the Lodge were labourers. Considering the nature of the allegations against the applicant, no custodial interrogation of the applicant is required. Hence, he requested to allow the application.

4. It is contention of learned APP that the applicant was Manager of the said Lodge where prostitution was going on. At the time of raid, the applicant was present at the Lodge and he ran away by seeing the police party. The applicant would take amount from the customers. Hence his custodial interrogation is required. Hence he requested to reject the application.

5. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

6. The allegations against the applicant are that he was Manager of the said Lodge where the prostitution was going on. All the women and owner of the Lodge apprehended by the police. The amount given for prostitution is recovered from the owner - accused no.1. Considering the nature of allegations against the applicant, his custodial interrogation is not required. Hence I pass the following order:-

ORDER

(i) The application is allowed.

(ii) In the event of arrest of the applicant in connection with FIR No.0020 of 2024 registered with Shrirampur City Police Station, Shrirampur, Dist. Ahmednagar, for the offence punishable under sections 3, 4, 5, 7 of the Immoral Traffic (Prevention) Act, 1956, the applicant be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following conditions :-

(a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.

[SHIVKUMAR DIGE, J.]