



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1096 OF 2024

PRASHANT PRATUSH ROY
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Sunil B. Surse
APP for Respondent No.1 : Mr. S. R. Wakale
Advocate for Respondent No.2 : Ms. Kalpana Kulkarni (Sonwapale)
(Appointed)

...
WITH
BAIL APPLICATION NO. 1023 OF 2024

WAJID S/O. ILIAS SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Somnath G. Ladda
APP for Respondent No.1 : Mr. S. R. Wakale
Advocate for Respondent No.2 : Ms. Kalpana Kulkarni (Sonwapale)
(Appointed)

CORAM : S. G. MEHARE, J.

DATE : 25-07-2024

PER COURT :-

1. Heard learned counsel for the applicants, the learned A.P.P. for respondent No.1 and the learned counsel for respondent No.2.
2. The applicants seek bail in C.R.No.14 of 2024 registered with Harsul Police Station, Ch. Sambhaji Nagar, for the offences punishable under Sections 370(1), 370A, 376, 376(2)(n), 343 read with Section 34 of the Indian Penal Code and Sections 3, 4, 5, and 6 of the Immoral Traffic (Prevention) Act.

3. Both learned counsel for the applicants have read over the first information report. It has been alleged against applicant Prashant that he was the husband of one Rani with whom the victim was residing. The allegations against Wajed is that he was sharing money received from the customers.

4. Learned counsel for respective applicants submit that except bare words, nothing is against them. A statement under Section 164 of the Code of Criminal Procedure states nothing against them. Applicant Prashant is a Medical Practitioner. He is not the husband of said Rani. He is the resident of Saswad Pune. He had only dropped the victim to the house of main accused Rani.

5. Learned A.P.P. and learned counsel for the victim have strongly opposed the application. They submit that it was a racket involved in the immoral trafficking of woman. A small child of 16 years old has been exploited. She is the resident of Bangladesh. Many times over sex work was done from her. Therefore, the applicants do not deserve bail.

6. Perused the papers, particularly, the role of the applicants as alleged.

7. The statement of the victim under Section 164 of the Code of Criminal Procedure is silent against the applicants. Nothing is recovered from them. They are permanent resident of State of

Maharashtra. No purpose would be served by keeping the applicants behind bar. Hence, the order :-

ORDER

- i) The applications are allowed.
- ii) Applicant – Prashant Pratush Roy and applicant – Wajid s/o. Ilias Shaikh be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount each, in the above crime for the aforesaid offences, on the conditions that,
 - (a) They shall not tamper with the prosecution witnesses.
 - (b) They shall not contact the other co-accused.
 - (c) They shall not involve in identical crime.
 - (d) They shall attend the trial on each and every effective date.
- iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad do pay the fees of the appointed counsel for respondent no.2/victim as per schedule.

(S. G. MEHARE, J.)