



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

1008 ANTICIPATORY BAIL APPLICATION NO. 1225 OF 2024

AKASH CHANDRAKANT WAGH

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Chavan Rajendra N.

APP for Respondent/State : Ms.M.L. Sangit

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CORAM : **SHIVKUMAR DIGE, J.**

DATE : 14th August, 2024.

P.C.:

1. The applicant apprehends arrest in connection with FIR No.439 of 2024 registered with Police Station, Vaijapur, Tq. Vaijapur, Dist.Chhatrapati Sambhajinagar (Rural), for the offence punishable under section 143 of the Indian Penal Code (For short, "IPC") and sections 3, 4, 5, 7 of the Women and Girls Immoral Trade (Prevention) Act, 1956.

2. It is prosecution's case that the police had received the secrete information that in Radhika Lodge, Vaijapur prostitution was going on. On the said information, the police conducted raid on the hotel on 1st July, 2024 along with panchas. In the said raid, the police rescued one woman and arrested co-accused Sachin Khandagale. It is alleged that co-accused Sachin Khandagale and the applicant had taken the said lodge on rent.

3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The woman, who

rescued from the Lodge has not taken the name of the applicant. She has stated that co-accused Sachin had induced her for prostitution. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

4. It is contention of the learned APP that the applicant is the co-owner of the said hotel where prostitution was going on. It is alleged that the applicant and co-accused have taken the Lodge on rent basis. It shows the involvement of the applicant in the crime and requested to reject the application.

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

6. The allegations against the applicant are that he and co-accused had taken the said Lodge on rent basis where prostitution was going on. In the F.I.R. considering the allegations against the applicant, the woman who rescued from the Lodge has stated that co-accused Sachin had asked her to do the prostitution business. At the time of raid, the applicant was not present. The police has not recorded the statement of the Lodge owner to show that the applicant had taken the said Lodge on rent basis. Considering these aspects, the custodial interrogation of the applicant is not required and 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.439 of 2024 registered with Police Station, Vaijapur, Tq. Vaijapur, Dist. Chhatrapati Sambhajinagar (Rural), for the offence punishable under section 143 of the Indian Penal Code and sections 3, 4, 5, 7 of the Women and Girls Immoral Trade (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.]

sga