

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

BAIL APPLICATION NO. 1550 OF 2024

Ayesha Mohammad Ajim Kadari
alias Minakshi Suyresh Ingale
alias Megha

.Applicant

Versus

The State of Maharashtra

.Respondent

Mr. Chetan S. Damre, Advocate, for the Applicant.
Ms. Savita Yadav, APP, for the Respondent – State.

CORAM: MADHAV J. JAMDAR, J.
DATE: 06.05.2024

P. C.

1. Heard Mr. Damre, learned Counsel for the Applicant and Ms. Yadav, learned APP for the Respondent-State.
2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973*. The relevant details are as follows:-

1.	C. R. No.	I-64 of 2024
2.	Date of registration of F.I.R.	06.03.2024
3.	Name of Police Station	Indira Nagar, Nashik
4.	Sections invoked	370 r/w. 34 of the I.P.C., 1860; 3, 4, & 5 of the Immoral Traffic (Prevention) Act, 1956 (“PITA”);
5.	Date of incident	05.03.2024
6.	Date of arrest	06.03.2024
7.	Date of filing of Charge-sheet	04.05.2024

3. As per the prosecution case, the present Applicant with the

help of other Accused, and under the pretext of running a Spa Centre, were involved in prostitution by luring customers and thereby receiving monies from them and hence were conducting an illegal business.

4. It is the contention of Mr. Damre, learned Counsel for the Applicant that investigation is complete and the present Applicant was working only as a sweeper at the establishment in question and that the present Applicant is not involved in the offence in question. He further submitted that the Applicant is having a 1 year old child who is living with her in the prison. He submitted that there are no antecedents. He therefore prayed that the Bail Application be allowed.

5. On the other hand, Ms. Yadav, learned APP vehemently opposed the Bail Application. She submitted that although Charge-sheet has been filed, the same shows that Applicant is involved in the offence in question. Therefore, the Bail Application be rejected. However, after taking instructions, she submitted that there are no antecedents.

6. The Applicant is a woman and her son aged 1 year is living with her in prison.

7. Charge-sheet is already filed. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

8. The Applicant does not have any criminal antecedents.

9. The Applicant does not appear to be at risk of flight.

10. Accordingly, the Applicant can be enlarged on bail by imposing conditions.

11. In view thereof, the following order:

ORDER

(a) The Applicant - Ayesha Mohammad Ajim Kadari *alias* Minakshi Suyresh Ingale *alias* Megha be released on bail in connection with C. R. No.I-64 of 2024 registered with the Indira Nagar Police Station, District - Nashik on her furnishing P. R. Bond of Rs.25,000/- with one or two local sureties in the like amount.

(b) On being released on bail, the Applicant shall furnish her cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.

(c) The Applicant shall report to the Indira Nagar Police Station, District – Nashik on the Sunday of every month between 11.00 a.m. and 1.00 p.m. until the conclusion of the trial.

(d) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case, so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(e) The Applicant shall not tamper with the prosecution

evidence and shall not contact or influence the Complainant or any witness in any manner.

(f) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the Trial Court and shall not seek unnecessary adjournments thereat.

(g) The Applicant shall surrender her passport, if any, to the Investigating Officer.

12. The Bail Application is disposed of accordingly.

13. It is clarified that the Trial Court shall decide the case on its merits, uninfluenced by the *prima facie* observations made in this order.

[MADHAV J. JAMDAR, J.]