

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

ANTICIPATORY BAIL APPLICATION NO. 1873 OF 2024

Dnyaneshwar Rajabhau Bhosale	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Abhijit Kulkarni a/w Mr. Chinmay Patil for the Applicant.
Mr. Kiran C. Shinde, APP for Respondent-State.

CORAM: MANISH PITALE, J.
DATE : 1st AUGUST 2024

P.C. :

. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. The applicant apprehends arrest in connection with FIR No. 0043 of 2024 dated 17th February 2024 registered at Barshi Taluka Police Station, Dist. Solapur, for offences under Section 370 (2) of the Indian Penal Code, 1860 (IPC) and Sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956 (PITA).

3. The learned counsel for the applicant is pressing for interim relief, while the learned APP submits that investigation papers can be produced before this Court.

4. This Court is inclined to grant interim relief for the following reasons :

- (a) The statement of the informant, who is a Police Officer, does not make any allegation against the applicant with regard to the alleged activity of prostitution noticed in the premises in question. The informant has elaborately described the activities taking place in the premises and in that regard, he has referred to co-accused person, who is Manager of the lodge.
 - (b) The applicant is a licensee of the premises. But, at this stage, there is absence of material to raise presumption under Section 3(2-A) of the PITA, about the applicant having knowledge of the alleged activity of prostitution undertaken in the premises in question.
 - (c) Clauses (a) and (b) of sub-section (2-A) of Section 3 of PITA, at this stage, do not appear to be satisfied to raise the statutory presumption of knowledge against the applicant.
 - (d) The applicant is ready to cooperate with the investigation.
5. In view of the above, the following interim order is passed :
- (a) Till the next date, in the event the applicant is arrested in connection with FIR No.0043 of 2024 dated 17th February 2024 registered at Barshi Taluka Police Station, Dist. Solapur, he shall be released on bail on furnishing PR Bond of Rs.25,000/- and one or two sureties in the like amount.

- (b) The applicant shall remain present before the Investigating Officer on 3rd August 2024 between 10:00 a.m. and 12:00 noon and thereafter, as and when called by the Investigating Officer. The applicant shall cooperate with the investigation.
 - (c) The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.
6. In the event, the applicant violates any of the aforesaid conditions, the order passed today would be recalled.
7. List the application for further consideration on 19th August 2024 (High on Board).
8. The learned APP shall keep the investigation papers ready for perusal of this Court.

MANISH PITALE, J.