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

BAIL APPLICATION NO.83 OF 2025

Bagaram Gumanaram Choudhari
Age: 29 years, Occu.: Labour Work
R/o. Kolhar Khurd, Tq. Rahuri,
District Ahilyanagar (Ahmednagar). ... Applicant

Versus

The State of Maharashtra
Through the Police Inspector,
Rahuri Police Station,
Tq. Rahuri, District Ahmednagar. ... Respondent

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Mr. VD. Hon, Senior Counsel i/b Mr. A.V. Hon, Advocate for
Applicant
Mr. V.M. Jaware, APP for Respondent – State

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CORAM : ABHAY S. WAGHWASE, J.

DATED : 05 MARCH 2025

PER COURT :-

1. Applicant seeks grant of regular bail on account of his arrest in Crime No.839 of 2024 registered at Rahuri Police Station, District Ahmednagar (Ahilyanagar) for the offences punishable under Sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956.

2. Pointing to the date of arrest of applicant as 25.07.2024, learned senior counsel submitted that, there is false implication.

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There are allegations that applicant indulging in above offence. That, he has, in fact, come from Rajasthan to earn his livelihood. That, investigation is over, and charge-sheet is filed in September 2024. That, there being no recovery at the instance of applicant. That, trial is yet to be commenced. Learned senior counsel pointed out that, even as on today charge is not framed. According to learned senior counsel, there is uncertainty about the matter going for conclusion of trial. Therefore, he seeks grant of bail by imposing any suitable condition deemed fit by this Court including not to leave the jurisdiction of concerned police station.

3. Learned APP opposed the bail application on the ground that, serious offence is committed. That, applicant being from Rajasthan, he may misuse the liberty and may not be available for trial.

4. After considering the above submissions, and on going through the FIR, it seems that law is set into motion by police constable posted at Rahuri Police Station, alleging that secret information was received that at Hotel New Prasad, one person is running a brothel, and therefore, after informing the higher authorities, raid was conducted, after sending dummy customer. The said dummy customer approached one person and a lady

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sitting outside the shed. On enquiry, it was revealed that the lady was present there for prostitution. Enquiry was made with both of them, and the woman allegedly confessed that she had come for the purpose of prostitution. In the shed, dummy customer was present with a lady who had also come for prostitution. The said dummy customer told police that, he had paid money for sex to a person, and that person is present applicant. On above allegations, crime seems to have been registered. *Prima facie*, in the report there do not seem to be allegations of forcing minors in flush trade.

5. Now, investigation is over and charge-sheet is already filed in September 2024. No further recovery or discovery is shown to be made at the instance of applicant. Apprehension of APP is about misuse of liberty as applicant is from the other State. However, learned senior counsel has undertaken to abide all and any conditions imposed by this Court, including not to leave the jurisdiction of Rahuri Police Station, till trial is over.

6. Considering the above submission across the bar, apprehension expressed by learned APP that applicant is from other State, is taken care of by imposing suitable condition, relief as prayed deserves to be granted. Hence, the following order :

ORDER

- (i) Application is allowed.

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(ii) Applicant Bagaram Gumanaram Choudhari be released on bail in connection with Crime No.839 of 2024 registered at Rahuri Police Station, District Ahmednagar (Ahilyanagar) on executing Personal Bond of Rs.15,000/- with one local surety each in the like amount on following conditions:

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not leave the area of jurisdiction of the Rahuri Police Station, till conclusion of trial.

[c] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Thursday and maintain personal diary of his attendance till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane