



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

925 BAIL APPLICATION NO. 1425 OF 2025

Ganesh Laxman Shinde

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Sachin Subhash Panale

APP for Respondents-State: Mr. D. J. Patil

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CORAM : ARUN R. PEDNEKER, J.

Dated : August 08, 2025.

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant seeks bail in connection with FIR No. 0538/2025, registered with Shevgaon Police Station, District Ahilyanagar, for the offences punishable under Section 143 of the Bharatiya Nyaya Sanhita and Sections 3, 4, 5, 7, and 8 of the Immoral Traffic (Prevention) Act, 1956.
3. A raid was conducted on 17/06/2025 in the hotel premises of the applicant since information was received that the applicant was running a brothel in the hotel. It is further alleged that money from dummy customers was accepted by the applicant. During the raid, 17 women were found in the applicant's hotel allegedly engaged in prostitution. The applicant is arrested on 18/06/2025.
4. The learned counsel for the applicant submits that, if the prosecution case is taken as alleged, at the highest, Sections 3, 4, 7, and 8 of the Immoral Traffic (Prevention) Act would be applicable to the applicant, and the

maximum punishment for the said offences is three years. It is submitted that Section 5 of the Act is not attracted in the present case. It is also argued that Section 143 of the Bharatiya Nyaya Sanhita is inapplicable.

5. Upon perusal of the statements of the women found on the hotel premises, it appears that all of them are adults and none of them have made any allegations against the applicant. Considering the nature of the allegations and the statements on record, *prima facie* Section 5 of the Immoral Traffic (Prevention) Act and Section 143 of the Bharatiya Nyaya Sanhita may not be applicable to the applicant.

6. The learned APP has opposed the grant of bail.

7. However, in view of the fact that none of the women have alleged anything against the applicant, and considering that the offences for which *prima facie* material is available are punishable with imprisonment up to three years, this Court finds that the applicant is entitled to be released on bail.

8. In view of the above, the application is allowed in the following terms: -

a] The applicant shall be released on bail in connection with FIR No. 0538/2025, dated 17/06/2025, registered with Shevgaon Police Station, District Ahilyanagar, on furnishing a PR bond of Rs.30000/-

with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant in any manner whatsoever during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the prosecution evidence and shall not influence the informant, witnesses, or any other person concerned with the case.

e] The applicant, upon being released on bail, shall furnish her contact number and residential address to the trial Court and shall intimate any change therein forthwith.

9. Needless to state, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is clarified that the observations made in this order are only for the purpose of deciding the present bail application, and the trial Court shall proceed on its own merits without being influenced by the same.

10. The application stands disposed of accordingly.

(ARUN R. PEDNEKER, J.)

vj gawade/-.