

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

CRIMINAL BAIL APPLICATION NO. 856 OF 2025

Meena Ashabai Musale @ Meena
Pargaonkar.

... Applicant.

Vs.

The State of Maharashtra & Anr.

... Respondent.

Mr. Vivek Arote, Advocate for the Applicant.

Mrs. Veera Shinde, APP for Respondent/State.

Ms. Kanchan Pawar, Advocate for Respondent No. 2.

HC/1322 G.S. Birkute, Jodbhavi Peth Police Station, Solapur City.

CORAM : ASHWIN D. BHOBE, J.

DATE : 25 JUNE, 2025.

P.C. :

1. Heard Mr. Vivek Arote, learned Advocate for the Applicant and Mrs. Veera Shinde, learned APP for State.

2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS"), the Applicant is seeking regular bail in Crime No. 271 of 2023 registered with Jodbhavi Peth, Solapur for offence punishable under Section 370, 376, 342 r/w. 34 of the Indian Penal Code, 3,4,5, 6 of the Immoral Traffic (Prevention) Act, 1956, 4,6,8,10, 12

and 17 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO') and 81 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

3. There are ten accused in the above said crime. Applicant is arraigned as Accused No. 7 in the said Crime.

4. Mr. Vivek Arote, learned Advocate for the Applicant states that the crime No. 271 of 2023 is registered as Special Case No. 159 of 2023 and pending before the learned Special Judge, Solapur.

5. Applicant herein is Accused No. 5. She was arrested on 2nd July, 2023, since then she is in jail. Bail Application at Exh. 9 filed by the Applicant in Special Case No. 159 of 2023 was rejected on 10th February, 2025.

6. Case of the prosecution is that the victim a 12 years old girl was sold by her father (Accused No. 1) to an organization by name, Jay Malhar Lok Kala Kendra in lieu of consideration. The victim was thereafter sold to five such Lok Kala Kendra by Accused No. 1 who accepted consideration for the same. Victim was forced to dance in front of people and forced to have physical relationship with different people.

7. Mr. Arote, learned Advocate for the Applicant at the

outset submits that the present bail is being sought by the Applicant (Accused No. 5) on the ground of parity. He submits that Accused No. 2, Accused No. 7 and Accused No. 10 in the said crime are similarly placed like that of the Applicant. He clarifies that the allegations made against the Applicant are that the Applicant forced the victim to dance before people and forced the victim to have physical relationship for consideration. He relies on the bail orders granted by this Court to the said Accused Nos. 2, 7 and 10 (at pages 357 to page 384). He submits that in addition to said three Accused, five other Accused in the said crime have also been released on bail.

8. Mrs. Shinde, learned APP for the State submits that the offence alleged against the Applicant is a serious offence which pertains to the exploitation of a minor. She however, does not dispute that the Accused Nos. 2, 7 and 10 against whom similar allegations are made have been released on bail by this Court. She submits that the role assigned to the Applicant herein is similar to the Accused Nos. 2, 7 and 10.

9. Ms. Kanchan Pawar, learned Advocate for the Respondent No. 2 submits that the present crime is a crime against humanity as a minor girl was sold like a chattel and exploited.

10. I have perused the record and the orders at pages 357 to 384 with the assistance of the learned Advocates for the parties.

11. Perusal of the charge-sheet indicates that involvement of the Applicant in the present Crime, is of forcing the victim to dance in front of people and thereafter selling the victim to several people and again forcing her to have physical relations with those persons for money. Charge-sheet indicates similar role attributed to the Accused Nos. 2, 7 and 10 in the said crime. This Court after considering the role attributed to Accused Nos. 2, 7 and 10 has released the said accused on bail. Applicant being similarly placed like that of the Accused Nos. 2, 7 and 10, principle of parity would apply. Applicant is therefore, granted bail on the ground of parity.

12. In view of the above, Bail Application is allowed on the following conditions :

- (a) Applicant is directed to be released on bail in Crime No. 271 of 2023 registered with Jodbhavi Peth Police Station, Solapur on furnishing P.R. Bond in the sum 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) Applicant shall report to the Investigating officer of the concerned police station as and when called for

by the Investigating officer.

(d) 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) Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

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

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

(h) Applicant shall not indulge herself in an act/offence as referred to in the present crime.

13. Bail Application No. 856 of 2025 is disposed of.

(ASHWIN D. BHOBE, J.)