

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

Anticipatory Bail Application No. 2107 of 2025

Prakash Ramchandra Gore

Age 66 years, Occ. Agriculturist,

R/at. Kurduwadi, Taluka – Madha,

District – Solapur, Maharashtra.

... Applicant

versus

The State of Maharashtra

Through Kurduwadi Police Station,

Solapur.

...Respondent

Mr Chinmay Patil a/w Mr Prasad Bade i/b Mr Abhijit Kulkarni,
for the Applicant.

Mr Anand Shalgaonkar, APP, for Respondent / State.

Coram: R.N. Laddha, J.

Date: 30 July 2025

P.C.:

By this application, the applicant seeks pre-arrest bail in connection with CR No.516 of 2024, registered at Kurduwadi Police Station, Solapur, for offences punishable under Sections 3, 4, 5 and 6 of the Immoral Traffic (Prevention) Act, 1956, and Section 144(2) of the Bharatiya Nyaya Sanhita, 2023.

2. It is the case of the prosecution that, upon receiving the secret information about women being coerced into the sex

trade for financial gain, a raid was conducted at 'Jai Maharashtra Lodging and Restaurant' in Kurduwadi, and the victims were found engaged in prostitution along with customers. At that time, the applicant was the owner of the premises.

3. Mr Chinmay Patil, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the applicant has been falsely implicated in the present crime. He submits that the applicant is the owner of the premises and entered into a leave and licence agreement with the co-accused, Akash. Under this agreement, the co-accused was granted permission to use and occupy the lodge for lawful business activities from 1 April 2024 to 31 March 2027 for a license fee of Rs.25,000/- per month. Furthermore, the co-accused assured the applicant that the premises would not be used for any unlawful activities or businesses. According to the learned Counsel, all allegations are directed against the co-accused, and the applicant has been unfairly made a scapegoat. There is no material on record to substantiate the assertion that the applicant knew about the alleged illegal activities. Mr Patil further submits that with the investigation concluded, and the filing of the charge sheet, the custodial interrogation of the applicant is unwarranted. The applicant is ready to abide by

any conditions this Court imposes.

4. On the other hand, Mr Anand Shalgaonkar, the learned Additional Public Prosecutor representing the respondent/ State, opposing the application, argues that the offence is of a serious nature. The victims were found at the scene while committing illegal activity on the premises. The applicant is the owner of the said premises. If granted pre-arrest bail, the applicant may tamper with the evidence or influence witnesses.

5. Upon perusing the records, it appears that the applicant entered into a leave and license agreement with co-accused Akash for the aforesaid premises. A bare reading of this agreement reveals that the co-accused was obligated to use and occupy the premises for lawful business purposes. The material on record does not *prima facie* suggest that the applicant was aware of the alleged illegal activities taking place on the premises. Furthermore, the applicant was not present at the time of the raid. Additionally, the alleged victims are of legal age and never made any allegations against the applicant. That apart, the investigation is complete, nothing is to be recovered or discovered from the applicant, and a charge sheet has been filed. The prosecution's apprehensions about potential evidence tampering and witness influence can be addressed by imposing

appropriate conditions. In the circumstances, this Court is inclined to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in CR No.516 of 2024, registered at Kurduwadi Police Station, Solapur, he shall be released on bail upon executing a PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.
- (ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.
- (iii) The applicant shall regularly attend and cooperate with the concerned trial Court for the expeditious disposal of the case.

6. The application stands disposed of accordingly.

[R.N. Laddha, J.]