

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.2231 OF 2025

Anupkumar Ramchandra Kambale ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Somnath Thengal for Applicant.

Ms. Veera Shinde, APP for the Respondent-State.

API Sumit Gaikwad, Shirol MIDC Police Station, present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 19th AUGUST 2025

P.C.

1. Applicant is apprehending arrest in Crime No.115 of 2025 registered with Shirol MIDC Police Station, Dist. Kolhapur for the offences punishable under Sections 143, 3(5) of the Bhartiya Nyaya Sanhita (for Short “BNS”) and Sections 3, 4, 5, 6, & 7 of the Immoral Traffic (Prevention) Act, 1956.

2. It is prosecution’s case that police received information that illegal business of prostitution was going on in ‘Hotel Sea Sheall’, at Sambapur, Taluka Hatkanangale. Therefore, the police laid trap and went to the spot along with dummy customer and panch witnesses. The dummy customer signaled that the victim was provided for

prostitution. The police conducted raid and found six persons at counter. Out of them, four persons ran away and remaining two persons were taken into custody. The police found one victim with dummy customer and also police seized muddemal indicating possibility of prostitution. It is alleged that applicant was acting as an agent and he was providing the victim to the customer for prostitution.

3. It is contention of learned counsel for applicant that the co-accused against whom the same allegations are levelled like the applicant have been released on bail. Applicant is entitled for bail on the principle of parity. Hence, requested to allow the application.

4. It is contention of learned APP that applicant was providing victim to the customer by taking money for prostitution. Applicant's role and role of the co-accused is different. There was active involvement of the applicant in the crime. If applicant released on bail, he may abscond. Hence, requested to reject the application.

5. I have heard both the learned counsels, perused the FIR and documents placed on record. The allegations against the applicant that he was acting as an agent and he was providing the victim to the customer for prostitution by taking amount from the customer. It appears from record that owner of the said lodge and co-accused Viraj

Patil against whom the same allegations are levelled like the applicant has been released on bail. Thus, in these facts applicant is entitled for anticipatory bail on the principle of parity. Hence, I pass the following order.

ORDER

- (i) Application is allowed;
 - (ii) In the event of arrest, the applicant be enlarged on bail in Crime No.115 of 2025 registered with Shirol MIDC Police Station, Dist. Kolhapur, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
 - (ii) The applicant shall attend the concerned police station as and when required.
6. The application is allowed in the aforesaid terms and is accordingly disposed off.
7. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)