

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 379 OF 2024

Nitish Naveen Singh @ Raj Applicant

Versus

The State of Maharashtra Respondent

Mr. Ankit R. Takle a/w Tarsem Singh Gabbi, for the Applicant.

Mr. Kiran C. Shinde, APP, for the Respondent – State.

Mr. Shashikant Jagdale, I.O. Antinarcotic Branch Mumbai – Present.

Mr. D. P. Mane, Pairavi Officer, Kasturba Police Station – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 18th MARCH, 2025.

P.C. :

1. The Applicant apprehends arrest in Crime No.1018 of 2021 registered with Kasturba Marg Police Station, Mumbai, for the offences punishable under Sections 366-A, 370(3), read with Section 34 of the Indian Penal Code, 1860 (for short “IPC”), and Sections 4, 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 and under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”), and under Section 81 of the

Commission for Protection of Child's Right Act.

2. It is prosecution's case that on 13th September, 2021 acting on secret information, the police apprehended the Applicant with two minor girls. It is alleged that the Applicant was offering the minor girls for prostitution in exchange of money.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bar around two years, yet trial has not been commenced. The charges under POCSO would not be applicable to the Applicant. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant was caught red-handed with two minor girls. The Applicant was allegedly providing the said minor girls for prostitution in exchange for money. If the Applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel. Perused charge sheet.

6. The allegations against the Applicant are that he was providing two minor girls for prostitution in exchange of money. The Applicant is behind bar for more than two years, yet trial has not

been commenced. The Investigation is completed and charge sheet has been filed. Considering these facts, his further detention is not required, and I pass following order:-

ORDER

- i. The Applicant be enlarged on bail in Crime No.1018 of 2021 registered with Kasturba Marg Police Station, Mumbai, on executing P.R. Bond Rs.30,000/- on furnishing one or two sureties of the like amount.
- ii. The Applicant shall attend the concerned police station as and when required.
- iii. The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- iv. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
- v. The trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.

- vi. The Applicant shall attend the trial Court's date regularly.
7. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.
8. All the concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)