

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

BAIL APPLICATION NO. 4944 OF 2024

Rojina @ Fatima Ejaj Ali Khan	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

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Mr. Ashley Cusher, Advocate for the Applicant.

Mr. V. A. Kulkarni, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	15.04.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.274 of 2020 registered at Chiplun Police Station Dist. Ratnagiri, for the offences punishable under Sections 376(2)(n), 366(A) and 370(4) of the Indian Penal Code (IPC), Sections 4, 8 and 12 of the Protection of Children from Sexual Offence Act (POCSO) and Sections 3, 4, 5 and 7 of the Immoral Traffic (Prevention) Act (PITA).
3. The allegations against the present applicant and the

other co-accused are of forcing the victims to indulge in the prostitution activity.

4. The bail is sought on the ground of parity. In support of the said ground, the learned counsel for the applicant has placed on record the order passed by this Court dated 21st January 2025 in Criminal Bail Application No.3319 of 2024. By the said order, this Court has released the co-accused Priya Yogesh Gandhi on bail. The learned counsel for the applicant submits that the applicant is in jail for more than four years and there are no criminal antecedents. It is submitted that role attributed to the co-accused Priya Gandhi and the present applicant is similar.

5. On the other hand, the learned A.P.P. for the Respondent State submits that trial has already commenced. It is submitted that at this stage the present bail application may not be entertained.

6. In spite of commencement of trial this Court by recent order dated 21st January 2025 has released the co-accused Priya Gandhi on bail. Considering the fact that the applicant is in jail for more than four years and as there are no other

criminal antecedents against her and thus, I am inclined to release her on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.274 of 2020 registered at Chiplun Police Station Dist. Ratnagiri, for the offences punishable under Sections 376(2)(n), 366(A) and 370(4) of the IPC, Sections 4, 8 and 12 of the POCSO Act and Sections 3, 4, 5 and 7 of the PITA Act on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not tamper with the prosecution evidence.
- (iv) The applicant shall not commit any other crime of similar nature in future.
- (v) Application stands disposed of accordingly.

(N. R. BORKAR, J.)