

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

Bail Application No.3416 of 2025

Prakash Rama Shetty

Aged 32 years, Occ.: Service,

Residing at Shree Sai Lodge,

Pune City Highway, Lonikhand,

Pune, Maharashtra.

(At present lodged in Yerwada

Central Prison, Pune.)

... Applicant

versus

1. The State of Maharashtra

(Through Lonikand Police Station,
Pune, Vide C.R. No.162 of 2025).

2. XYZ

Victim in C.R.No.162/2025.

In Lonikand Police Station, Pune.

...Respondents

Mr Kishan Choudhari i/b Rajabhau Chaudhari, for the
applicant.

Mr PP Jadhav, APP, for Respondent No.1/ State.

Mr Arjun Lingalod, for Respondent No.2 (Legal Aid Advocate).

Coram: R.N. Laddha, J.

Date: 4 December 2025

P.C.:

Heard Mr Kishan Chaudhari, the learned Counsel
appearing on behalf of the applicant, Mr PP Jadhav, the learned
Additional Public Prosecutor representing respondent No.1/

State, and Mr Arjun Lingalod, the learned Counsel appointed for respondent No.2.

2. By this application, the applicant seeks bail in connection with CR No.162 of 2025, registered at Lonikand Police Station, Pune, for offences punishable under Sections 143, 143(4), and 144 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023; Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956; and Sections 16 and 17 of the Protection of Children from Sexual Offences Act, 2012.

3. It is the case of the prosecution that after receiving confidential information regarding women being coerced into the sex trade for financial gain, a raid was conducted at Sai Lodge, Lonikhand, Pune. At the time of the raid, the applicant was responsible for managing the lodge's operations. Subsequently, the informant lodged a complaint, leading to the registration of the crime.

4. The learned Counsel appearing on behalf of the applicant, asserting the applicant's innocence, contends that the applicant has been falsely implicated in the crime. He submits that the victim was brought to Pune by the co-accused, while the applicant's role was limited to that of a lodge manager, with no direct involvement in the alleged crime. The allegations levelled

against the applicant are vague, lacking specificity, and unsupported by any substantial or corroborative evidence. Further, the prosecution's reliance on the ossification test to ascertain the victim's age is flawed and cannot be regarded as definitive or conclusive. The learned Counsel highlights that the investigation has been duly completed, the charge sheet has been filed, and the trial will proceed in due course. The applicant is willing to comply with any conditions that this Court may deem fit to impose.

5. The learned Additional Public Prosecutor representing respondent No.1/ State and the learned Counsel appearing for respondent No.2 jointly oppose the applicant's request for bail. They contend that the offence was committed in a well-planned manner by the accused. The offence is grave and serious. The learned APP expresses concern that if the applicant is granted bail, there is a significant risk that he may tamper with evidence or exert influence over witnesses.

6. This Court has given anxious consideration to the rival contentions canvassed across the Bar and perused the records.

7. It appears that the victim's statement does not suggest that the applicant had any active role in the commission of the crime. The allegations levelled against the applicant are limited

to his acting as one of the lodge managers. Beyond this mere assertion, no substantive or corroborative material has been placed on record to indicate his involvement in the alleged offence. That apart, the ossification report indicates that the victim was above 17 years and below 19 years of age at the relevant time. Furthermore, the investigation stands concluded, and nothing remains to be recovered or discovered from the applicant. Although the charge sheet has been filed, charges are yet to be framed. The applicant has been languishing in jail since 20 March 2025, and the co-accused, whose role mirrors that of the applicant, has already been released on bail. The prosecution's apprehensions about potential evidence tampering and witness influence can be mitigated by imposing suitable conditions.

8. Considering the totality of the circumstances, including the absence of any direct evidence linking the applicant to the commission of the alleged crime, the principle of parity, the stage of the proceedings, the applicant's continued incarceration and the lack of any disqualifying factors, this Court is of the view that the applicant is entitled to the benefit of bail. Hence, the following order:

ORDER

- (i) The applicant shall be released on

bail in CR No.162 of 2025, registered at Lonikand Police Station, Pune, 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 trial Court for the expeditious disposal of the case.

9. The application stands disposed of accordingly.

(R.N. Laddha, J.)