

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

Anticipatory Bail Application No. 1567 of 2025

Indrajeet @ Bablu Sayajirao Gaikwad

Age 36 years, Occ. Agriculturist,

R/o. At Phulewadi 'A' Ward,

Tal. Karveer, Dist. Kolhapur.

... Applicant /
Accused No.2.

versus

The State of Maharashtra

Through PI Juna Rajwada Police

Station, Dist.- Kolhapur in

C.R. No.314 of 2025.

... Respondent

Mr Somnath Thengal, for the Applicant.

Mr Prashant Jadhav, APP, for Respondent / State.

HC 465, D M Rasal, Juna Rajwada Police Station, Kolhapur, is present.

Coram: R.N. Laddha, J.

Date: 16 June 2025

P.C.:

. Heard Mr Somnath Thengal, the learned Counsel appearing on behalf of the applicant, and Mr Prashant Jadhav, the learned Additional Public Prosecutor representing the respondent/ State.

2. This is an application for pre-arrest bail filed by the applicant, apprehending arrest in CR No.314 of 2025, registered at Juna Rajwada Police Station, Kolhapur, for offences punishable under Sections 143(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3, 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act, 1956.

3. It is the case of the prosecution that, acting upon confidential information indicating that women were being coerced into the sex trade for monetary gain, a raid was conducted at the Karveer Nivasani Yatri Niwas in Kolhapur. During this operation, it was discovered that, under the directions of the present applicant, one of the co-accused was actively engaged in operating illegal activities at the said premises.

4. The learned Counsel appearing on behalf of the applicant strenuously denies the applicant's involvement in the alleged offence and submits that the applicant has been falsely implicated in the present case. He emphasises that the leave and license agreement concerning the use of the premises in question was executed solely between accused No.1 and the property owner, with no involvement of the applicant. Accused No.1 has already been apprehended and subsequently released

on bail. Furthermore, the alleged victims were all adults who were fully aware of the circumstances. The learned Counsel submits that the applicant has been made a scapegoat in this matter without any substantial evidence. He highlights that the investigation has reached its conclusion and there remains no necessity for any recovery or discovery from the applicant.

5. The learned Additional Public Prosecutor representing the State, resisting the applicant's request for pre-arrest bail, argues that there exists *prima facie* evidence linking the applicant to the illegal operations in question. Additionally, he highlights that one of the co-accused is still at large. However, the learned APP fairly concedes that the investigation is almost complete and nothing is to be recovered or discovered from the applicant.

6. This Court has given anxious consideration to the rival contentions of the parties and perused the records. It appears that the investigation has been concluded, and there is no need for any recovery or discovery from the applicant. It is also undisputed that the applicant was not present at the location during the time of the raid. Moreover, the lease arrangement appears to have been executed exclusively between accused No.1 and the owner of the premises, with the applicant having

no contractual involvement. The mere fact that a co-accused remains absconding cannot, by itself, justify the denial of pre-arrest bail to the applicant. In view of these considerations, this Court finds it appropriate to exercise its discretion in favour of the applicant. Hence, the following order:

ORDER

- (i) In the event of the applicant's arrest in connection with CR No.314 of 2025, registered at Juna Rajwada Police Station, Kolhapur, 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 shall attend the concerned Police Station as and when required.
- (iii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

7. The application stands disposed of accordingly.

(R.N. Laddha, J.)