

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

ANTICIPATORY BAIL APPLICATION NO.3172 OF 2025

Ritu Kumar Ningaiya Kumar ... Applicant
V/s.
The State of Maharashtra ... Respondent

Mr. Prabhanjay Dave for the Applicant.
Mr. R. M. Pethe, APP for the Respondent-State.
API Tukaram Korde, Nerul PS is present.

CORAM : N.R. BORKAR, J.
DATE : 21ST NOVEMBER 2025

P.C. :

1. This is an Application for anticipatory bail.
2. The Applicant is apprehending his arrest in Crime No.479 of 2025 registered with Nerul Police Station for the offences punishable under Sections 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.
3. It is the case of the prosecution that on 19th July 2025, on the basis of secret information a raid was conducted on Subodya Lodging and Boarding, Shirvane, Navi Mumbai and during the said raid Applicant and other co-accused were found to be running a brothel there. During the course of the raid, two victims were rescued.
4. I have heard Learned Counsel for the Applicant and Learned APP for the Respondent-State.

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5. Learned Counsel for the Applicant submits that the Applicant is not residing in Mumbai. It is submitted that though the Applicant has taken the Lodge in question on leave and licence basis, his Manager was running the said Lodge. It is submitted that the Applicant is ready and willing to cooperate in the investigation and there is no need of custodial interrogation.

6. On the other hand, Learned APP for the Respondent-State submits that the Applicant was running the Lodge in question. It is submitted that the Applicant is involved in two more crimes of similar nature. It is further submitted that the Applicant has not disclosed about the said crimes in the present Application and therefore in view of the judgement of the Hon'ble Supreme Court in the case of *Munnesh vs. State of Uttar Pradesh*¹, the present Application may not be entertained.

7. Learned Counsel for the Applicant submits that the Applicant has already been acquitted in one of the crimes. However, the fact remains that the Applicant has not disclosed about his criminal antecedents in the present Application. The Hon'ble Supreme Court in *Munnesh vs. State of Uttar Pradesh* (supra) has held that one who suppresses material facts with regard to his involvement in criminal cases, is not entitled to the discretionary relief of bail.

8. Considering the overall facts and circumstances of the case, I am not inclined to release the Applicant on anticipatory bail. Hence, the Anticipatory Bail Application is rejected.

(N.R. BORKAR, J.)

1 2025 Supreme(SC) 605