



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.124 OF 2025

(Ravindra s/o Mahaveer Jain Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.V. Sirpurkar, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.
Mr. N.D. Dawda, Advocate (appointed) for non-applicant No.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 17, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 18/06/2024 in connection with Crime No.234/2024 registered with Police Station Ramdaspath, Akola, District Akola for the offences punishable under Sections 370(A), 372, 376, 376(2)(n) read with Section 34 of the IPC and Sections 3, 4, 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 (PITA Act) and Section 4, 5(n), 6, 8, 16 and 17 of the Protection of Children from Sexual Offences Act, 2012.

2. On 15/06/2024 the API Chandrakala Mesare attached to Old City Police Station, Akola lodged the First Information Report on an allegation that the information was received by the NGO Freedom Firm, and therefore, they approached to the SDPO, Akola City that the prostitution was conducted in Mahaveer Guest House and minor girls are induced in the prostitution for monetary gains. So the Police staff, Panch and the dummy persons went to the Guest House. They sent the dummy person

with 14 currency notes of Rs.500/- and accused Vaibhav Mirajkar accepted the amount from said dummy person. Raid was conducted in Room No.104. One minor victim was found with the said dummy person. The co-accused Vaibhav who was engaged in prostitution was sitting in front of the room. During his search, the amount of Rs.7,000/- was seized. As far as the present applicant is concerned who is the owner of the Mahaveer Guest House and it is alleged that in connivance with the co-accused he was running the prostitution work in the said guest house. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that as far as the involvement of the present applicant is concerned is only to the extent of providing the rooms and i.e. also by Manager. Present applicant is not at all concerned with any such activities which are conducted by the co-accused. He submitted that now investigation is completed and charge-sheet is filed, further incarceration of the present applicant is not required. In view of that, he be released on bail.

4. Learned APP and learned Counsel for respondent No.2 strongly opposed the application and invited my attention towards the statement of victim and dummy person which shows that the present applicant in connivance with the other co-accused was provided the accommodation for the prostitution business and various articles are seized during the search in the said guest

house. Thus, *prima facie* case is made out, and therefore, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties. Perused the investigation papers. The statement of the victim and dummy person discloses the involvement of the present applicant in the alleged offence. Admittedly, there is no criminal antecedents as far as the offence under the PITA Act is concerned. Learned Counsel for the applicant has pointed out from Section 7 that in view of sub-Section (2) of Section 7 punishment upto three months, or with fine is provided for the first offence and in the event of a second or subsequent conviction with imprisonment for a term which may extend to six months and also with fine. Thus, considering the offence which is made out against the present applicant limited period punishment is provided. Now, investigation is completed and charge-sheet is filed. In view of that, the application deserves to be allowed by imposing certain conditions on the present applicant. Accordingly, I proceed to pass the following order:

- (i) The application is allowed.
- (ii) The applicant – Ravindra s/o Mahaveer Jain in connection with Crime No.234/2024 registered with Police Station Ramdaspath, Akola, District Akola for the offences punishable under Sections 370(A), 372, 376, 376(2)(n) read with Section 34 of the IPC and Sections 3, 4, 5 and 7 of the Immoral

Traffic (Prevention) Act, 1956 (PITA Act) and Section 4, 5(n), 6, 8, 16 and 17 of the Protection of Children from Sexual Offences Act, 2012, be released on bail on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall close the activities which he has conducted in the Mahaveer guest house forthwith.

(iv) Reporting of a single incident would lead to the cancellation of bail of the present applicant.

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(vi) The applicant shall attend the concerned police station once in a month i.e. 5th day of every month, till culmination of the trial.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application stands disposed of.

8. The fees of the appointed Counsel be quantified as per rules.

(URMILA JOSHI-PHALKE, J.)