IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2142 OF 2026

SHABANA SHARIFFODIN SAYYED
VERSUS
THE STATE OF MAHARASHTRA
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- Mr. Mahesh P. Kale, Advocate for Applicant.
- Mr. V. K. Kotecha, APP for Respondent - State.

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 5th NOVEMBER, 2026

PER COURT :

1. Heard the learned Advocate for the applicant and the learned APP for the respondent – State.

2. The present application is filed by a woman, who is arrested on 14.09.2026 in connection with Crime No.731 of 2026 registered with Shevgaon Police Station, Dist. Ahilyanagar for offences punishable under Sections 3, 4, 5, 7 and 8 of Immoral Traffic (Prevention) Act.

3. The offence has been registered by the informant, who is a Police Officer, who was party to the raid, which was conducted on the basis of a secret information received by the local crime branch of Ahilyanagar. The raid was conducted at the place where the present applicant resides. The allegation of the prosecution is that, the present applicant is indulged in running of a brothel in the

house of the applicant herself for financial gains. The case of the prosecution is that, the applicant provides her house and the rooms situated therein to the women, who have been lured by the applicant to indulge themselves into sexual act with other male clients. For providing the said services, the charges are taken by the present applicant, out of which certain portion of the charge is given to the victim women. During the raid conducted on the date of the incident, three victim women were found. Their statements are recorded. Along with that, there were several incriminating material which has been seized from the house of the present applicant. The statement of the victim recorded specifically narrates that the present applicant provides them the house and have lured them by providing financial assistance. The victims have stated that they do not want to continue with this and they want to go back to their family members. After the raid was concluded and the material seized therein, the present offence has been registered against the present applicant. The applicant came to be arrested on the same day. Since then, she is in custody.

4. Learned Advocate for the applicant submits that the offence is maximum punishable with five years. The applicant is a woman aged about 40 years. The leniency be shown and bail be granted.

5. Learned APP, however, opposed the application stating that the investigation is still in progress. The applicant is habitual as there is another criminal antecedents registered for the similar offence against the present applicant. The victim's statements have already been recorded, who have specifically alleged that the applicant indulges in the activities of the alleged offence. The financial benefits are also being alleged against the present applicant for making the victims do the business of providing sexual favors to the male clients. Taking into consideration the repeated activity of the present applicant, he prays that the application be dismissed.

6. I have perused the prosecution documents produced by the learned APP and have also gone through the contents of the raid. No doubt, the offence alleged against the present applicant is serious. The functioning of a brothel in a residential area and that too in the present applicant's own house is a serious concern from the angle of the society. The repeated involvement of the present applicant shows that she is habitual. However, the trial of the earlier and the present offence is still to conclude, and therefore, at this stage, this Court does not want to brand the present applicant as habitual. In spite of this, the sight cannot be lost that the charge-

sheets are filed against the present applicant for similar offences. Thus, I am of the opinion that the applicant being a woman aged 40 years and is inside since 14.09.2026, the investigation can proceed for the reasons that the incriminating material has already been seized as stated in the FIR itself. The further custody of the applicant is not necessary. Applicant can be released on bail by imposing serious and severe conditions.

ORDER

(i) The Bail Application is allowed.

(ii) The applicant, Shabana Shariffodin Sayyed, shall be released on bail in Crime No.731 of 2026 registered with Shevgaon Police Station, Dist. Ahilyanagar for offences punishable under Sections 3, 4, 5, 7 and 8 of Immoral Traffic (Prevention) Act, on furnishing a personal bond of Rs.1,00,000/- (Rupees One Lakh only) with one or two solvent sureties in the like amount, subject to the following conditions :

a) The applicant shall attend the trial Court on every date fixed, unless her attendance is specifically exempted.

b) The applicant shall not, directly or indirectly, contact, threaten, induce or influence the informant or any prosecution witness and shall not tamper with the prosecution evidence.

c) The applicant shall furnish her current residential

address and mobile number to the Investigating Officer and the trial Court within seven days of release, intimate any change forthwith, and attend the Investigating Officer upon prior written notice if further investigation is required.

d) The applicant shall not leave India without prior permission of the trial Court and, if he possesses a passport, shall deposit the same with the trial Court within seven days of her release.

e) The applicant shall not involve herself in any offence of a similar nature while on bail.

f) The applicant shall not enter the District of Ahilyanagar till the conclusion of the trial, save and except for the purpose of attending the Investigating Officer in respect of the respective offences, if required, and for attending the Court dates.

g) The copy of this order and the registration of this FIR be brought to the notice of the Court before which the trial pertaining to Crime No.538 of 2025 is pending. The Investigating Officer of the said crime, who shall then bring it to the notice of the Trial Court in that case. The applicant has been released on anticipatory bail, and therefore, the Trial Court in Crime No.538 of 2025 shall take appropriate steps against the present applicant.

h) Breach of any of the above conditions shall entitle the prosecution to apply for cancellation of bail.

(iii) All observations in this order are prima facie and confined to the decision of this bail application. The trial Court shall decide the case independently on the evidence led before it.

(iv) The Bail Application is disposed of in the above terms.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale