



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1211 OF 2025

Suresh Namdeo Kathar
VERSUS
The State Of Maharashtra

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- Mr. Prashant Prabhakar Giri, Advocate for Applicant
- Mr. B. V. Virdhe, APP for Respondent - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 16.01.2026

PER COURT :

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 0258 of 2025 dated 30.06.2025, registered with Mukundwadi Police Station, District Aurangabad, for the offences punishable under Sections 3 and 5 of the Immoral Traffic (Prevention) Act, 1956 and Section 143 read with Section 4(5) of the Bharatiya Nyaya Sanhita, 2023.
3. This Court, vide order dated 21.07.2025, had protected the applicant with a direction to attend the concerned police station on every Monday.

4. Learned counsel for the applicant submits that the applicant has complied with the conditions imposed by this Court and has attended the Investigating Officer as and when called. The wife of the applicant had entered into a leave and licence agreement with one Govind Ranjeet Khandebharad in respect of the premises in question, for running lodge, and since then, the applicant had no concern with the said property. There are exchanges of messages on record indicating that the said Govind was a tenant of the applicant and his wife. The leave and licence agreement, executed on 04.01.2025, shows that the premises were leased for lodging and boarding purposes. Except for one offence registered for cheating, the applicant has no criminal antecedents of identical nature. The applicant is ready to abide by any further conditions as may be imposed by this Court. Hence, it is prayed that the applicant be released on bail.

5. As against this, the learned APP vehemently opposes the application on the ground that the applicant is involved in serious offences relating to trafficking of women for the purpose of prostitution. It is submitted that the applicant had given his premises to other accused persons who used the same for running a brothel and for pushing girls into prostitution. The other arrested accused have several criminal antecedents under the Immoral Traffic

(Prevention) Act. The statement of witness Govind Khandebharad clearly indicates that the applicant had knowledge of the prostitution business being run in the said premises with the assistance of co-accused Jivan. It is further submitted that although the applicant attended the police station, he failed to cooperate with the investigation and, if released on bail, may again commit similar offences.

6. I have gone through the investigation papers made available by the learned APP. The perusal of the documents annexed to the application shows that a leave and licence agreement was entered into between the wife of the applicant and witness Govind on 04.01.2025. There are WhatsApp chats exchanged between the applicant and the said witness Govind. Surprisingly, the said Govind, who was running the lodge/brothel in the said premises, has not been made an accused in the present crime. There is no statement of any rescued girl alleging the role of the present applicant in pushing them into prostitution or in receiving any commission from such activities. Considering the leave and licence agreement on record, wherein the applicant is only a witness, and the fact that the applicant has attended the Investigating Officer in pursuance of the interim order dated 21.07.2025, I am inclined to protect the applicant. The apprehensions expressed by the learned APP can be

addressed by imposing stringent conditions. Hence, the following order:-

ORDER

- i. The Anticipatory Bail Application is allowed.
- ii. The interim order dated 21.07.2025 is hereby confirmed, subject to the following additional conditions :-
 - A) The applicant shall attend the concerned police station and report to the Investigating Officer on 22nd, 23rd, 29th and 30th January 2026 and on 05th and 06th February 2026, between 12:00 noon and 02:00 p.m., and thereafter as and when called, till filing of the charge-sheet.
 - B) The Applicant shall also cooperate with the investigation.
 - C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - D) The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with addresses and mobile numbers of two nearest relatives.

7. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the bail granted hereinabove.

8. The observations made herein are prima facie and shall not influence the Trial Court or any other Court while deciding the case on its own merits.
9. In view of the above, the application stands disposed of.
10. Pending applications, if any, also stand disposed of.

(MEHROZ K. PATHAN, J.)