IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3109 OF 2026

Himanshu Kumar Bali Yadav .... Applicant
V/s.
The State of Maharashtra ...Respondent

Mr. Prabhanjay Dave a/w. Mr. Tanmay Tendulkar and
Mr. Shankar Ambhure for the Applicant.
Mr. Vinod Chate, APP for the Respondent – State.
Ms. Anupama Patil, PSI, Sakinaka Police Station, present.

CORAM: SHYAM C. CHANDAK, J.
DATED : 15th OCTOBER, 2026

P.C. :-

1. Heard learned Counsel for the parties. Perused the record.

2. The applicant seeks his release on bail in Sessions Case No.286/2026 pending before the learned Additional Sessions Judge, City Civil Court, Mumbai arising out of Cr.No.142/2026 registered with Saki Naka Police Station, Mumbai for the offence punishable under Sections 144(2), 3(5) of Bharatiya Nyaya Sanhita, 2023 ("BNS") and Sections 3, 4 and 5 of Immoral Traffic (Prevention) Act, 1956, on the report dated 12.02.2026 filed by the Complainant.

3. Considering the material on record and the rival submissions, in my view, there is a prima facie case against the applicant of having committed the alleged offence. However, it appears that, the victim woman was willingly involved in the prostitution and therefore she had gone to the hotel in question for the purpose of the prostitution. The investigation is over.

Further detention of the applicant in jail will not serve any purpose. Therefore and considering the punishment provided for the alleged offence, the applicnat may be released on bail. However, as the applicant has one criminal antecedent of 2014 of similar nature, stringent condition needs to be imposed. Mr. Dave, the learned Advocate for the applicant states that the applicant is voluntarily ready to stay out of Mumbai District. Therefore, I am inclined to allow the Application. Hence, following Order :-

(i) The applicant – Himanshu Kumar Bali Yadav be released on bail in Sessions Case No.286/2026 pending before the learned Additional Sessions Judge, City Civil Court, Mumbai arising out of Cr.No.142/2026 registered with Saki Naka Police Station, Mumbai, on his executing a P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.

(ii) The applicant shall mark his attendance at Saki Naka Police Station, Mumbai on 1st day of a month in every three months, between 11:00 a.m. to 02:00 p.m., till conclusion of the trial.

(iii) The applicant shall regularly attend the proceedings before the jurisdictional Court.

(iv) The applicant shall not enter and reside within the limits of Mumbai District for a period of six months from the date of his release on bail.

However, the applicant is permitted to enter the Mumbai district to mark his attendance at Saki Naka Police Station and to attend the proceedings in the trial Court/s.

(v) On being released from jail, the applicant shall furnish his contact number and residential address and contact number of two relatives to the Investigating Officer and shall keep him updated in case there is any change.

(vi) The applicant shall not indulge in identical activities for which he has been arraigned in this case.

(vii) The applicant shall not tamper with the prosecution evidence and shall not directly or indirectly influence the prosecution witnesses to prevent them from deposing against him.

(viii) It is clarified that any observation made in the present Order are for the purpose of deciding the present Bail Application. The trial Court shall decide the said case without getting influenced by any of the said observations.

4. Bail Application stands disposed of in aforesaid terms.

(SHYAM C. CHANDAK, J.)

PREETI HEERO JAYANI
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