Ajay

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3868 OF 2026

Lutaffar Muzzammalhaq Shaikh .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Tejas Hilage, Advocate for Applicant appearing through Video Conferencing.
- Ms. Sangeeta E. Phad, APP for Respondent – State.
- PSI – A. C. Thorat, Ranjangaon Police Station, Pune Rural.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 14, 2026

P.C.:

1. Heard Mr. Hilage, learned Advocate appearing through video conferencing for Applicant and Ms. Phad, learned APP for Respondent – State.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking bail in connection with C.R. No.255 of 2026 registered with Ranjangaon MIDC Police Station for offences punishable under Sections 143(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 3, 4, 5, 6 and 7 of the Immoral Traffic (Prevention) Act, 1956.

3. Applicant before me is arraigned as Accused No.2 in the present crime. Applicant is in custody since 02.06.2026. There are

three accused persons in the present crime. Accused No.1 is the principal protagonist namely owner of the subject lodge about which the prosecution had received advance information regarding suspicious and immoral activities having being carried out over there. When the raid was conducted, 7 adult women were found alongwith Applicant.

4. Applicant's case is that he has been employed by Accused No.1 as a caretaker of the said lodge premises. Prosecution has further unearthed the fact that the said premises were standing in the name of Accused No.3 as its Licensee which were taken by him on Leave and License from the owner of the said premises who was a completely different third party altogether.

5. Role of Applicant is limited to the extent of he being an employee of Accused No.1 appointed for the upkeep of the subject premises i.e. lodge and the fact that Accused No.1 has already been granted protection by this Court observing that his role will have to be probed at trial, I am inclined to consider the case of the Applicant before me for releasing him on bail on parity.

6. Hence, in view of above *prima facie* observations and findings, Bail Application of Applicant is allowed subject to the following terms and conditions:-

(i) Applicant – Lutaffar Muzzammalhaq Shaikh is directed to be immediately released from prison in connection

with CR. No.255 of 2026;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen Thousand only) with one or two sureties in the like amount;

(iii) Applicant shall report to the Investigating Officer at concerned Police Station, once every month, on the first Sunday of the month between 10:00 a.m. to 12:00 p.m. until commencement of trial and thereafter shall attend all dates of hearing before the Trial Court;

(iv) Applicant shall cooperate with the conduct of the trial and remain present before the Trial Court on all dates, unless specifically exempted. Applicant shall not seek unnecessary adjournments. Any such conduct shall entitle the prosecution to apply for cancellation of bail;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current residential address and mobile telephone

number and shall forthwith inform the Investigating Officer of any change in his residential address or mobile telephone number, as and when such change occurs; and

(viii) Any breach or infraction of any of the aforesaid conditions shall entail cancellation of the bail granted to the Applicant.

7. It is clarified that the observations made in this order are limited for the purpose of granting bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

8. Bail Application is allowed and disposed in the above terms.

[MILIND N. JADHAV, J.]

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Date: 2026.10.14 19:23:23 +0530