

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

Cri.Anticipatory Bail Application No.633 of 2026

Binay Kumar Yadav

Aged : 39 yrs, Indian Inhabitant,
R/at Itkhor, Dharampur, Chatra,
Jharkhand 825408

... Applicant.

Vs.

The State of Maharashtra
(at the instance of Naupada Police
Station vide CR no.539 of 2025)

... Respondent.

Ms Anjali Patil for the applicant.

Ms MR TidkeAPP for the respondent / State.

PSI Ravindra Ranbhise, Nagpada Police Station.

Coram : R.N.Laddha, J.

Date : 9 April 2026.

P.C. :

By this application, the applicant, who apprehends arrest in connection with CR No.539 of 2025, registered at Naupada Police Station, Thane, for offences punishable under Sections 143(1) and 143(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, and Sections 3, 4, 5 and 7 of the Immoral Traffic (Prevention) Act, 1956 ('PITA Act').

2. It is the prosecution's case that on 20 June 2025,

acting on confidential information regarding an online prostitution racket operated through WhatsApp, a trap was laid using a decoy customer and panch witnesses. The decoy customer contacted an agent, Myra alias Surender, who agreed to arrange women for sexual services for Rs.5,000/-. Following this, a room was booked at Hotel Shiv Vandana upon part payment of Rs.2,500/-, and two women were sent there; one of whom received the said amount. After receiving the pre-arranged signal, the police conducted a raid, apprehended the lodge manager, rescued two women, and seized cash, mobile phones, condoms, and the lodge register. During the investigation, the lodge manager and the women purportedly disclosed the involvement of other persons, including the present applicant, Vinay Yadav. The applicant is alleged to have coordinated with customers and women by telephone.

3. Ms Anjali Patil, the learned Counsel appearing on behalf of the applicant, asserts the applicant's innocence and contends that the applicant has been falsely implicated in the crime. It is submitted that the applicant was not present during the raid. The victims are of legal age and have admitted to voluntarily indulging in prostitution for

personal gain. The only allegation against the applicant is that he is living on the earnings of prostitution. It is urged that this allegation would fall under Section 4 of the PITA Act, which is a bailable offence. The learned Counsel further submits that the applicant is not the owner, manager, or employee of the lodge in question. The control of the premises was with the co-accused, who has been released on bail. Ms Patil further highlights that the investigation has concluded and nothing is to be recovered or discovered from the applicant; thus, the applicant's custody is unwarranted. The applicant is ready to abide by any conditions this Court deems fit to impose.

4. On the other hand, Ms MR Tidke, the learned Additional Public Prosecutor representing the respondent/State, opposes the applicant's request for bail, citing the seriousness of the offence. However, on instructions of the investigating officer present in the Court, the learned APP submits that the investigation has reached its logical conclusion and a charge sheet has been filed.

5. This Court has considered the submissions canvassed across the Bar and perused the records.

6. Upon a bare reading of the records, it appears that the applicant was not present at the place of occurrence during the raid. The applicant's implication arises from statements recorded during the course of investigation, attributing to him a limited role of telephonic coordination. *Prima facie*, the record does not indicate whether the applicant was in control of or managing the premises where the incident occurred. Significantly, the victims are of legal age, and the manager of the premises has already been granted bail. Furthermore, nothing is to be recovered or discovered as the investigation is complete and a charge sheet has been filed. The prosecution's apprehensions about potential evidence tampering and witness influence can be mitigated by imposing appropriate conditions.

7. Having considered the totality of the circumstances, this Court is inclined to extend the benefit of pre-arrest bail to the applicant. Hence, the following order:

ORDER

(i) In the event of the applicant's arrest in CR No.539 of 2025, registered at Naupada Police Station, Thane, he shall be released on bail upon executing a

PR Bond of Rs.25,000/- and furnishing one or more sureties in the like amount.

(ii) The applicant, himself or through any other person, shall not tamper with the evidence or influence witnesses.

(iii) The applicant shall regularly attend the trial proceedings and cooperate with the trial Court for the expeditious disposal of the case.

(iv) The applicant, himself or through any other person, shall not contact the victims in any manner whatsoever.

8. The application stands disposed of accordingly.

[R. N. Laddha, J.]