

MHTH270078382023



**Cri.Bail Appln./442/2023**

**Bini Roy R**

**Vs.**

**State**

**Vashi Police Station**

**: ORDER BELOW EXH. 1:**

1] This is the regular bail application filed by the applicant/accused Bini Roy R, for grant of bail under Section 439 of Cr.P.C., in connection with C.R. No228/2023, registered with Vashi Police Station, under sections 370 r/w Section 34 of Indian Penal Code and under Section 3, 4, 5 of Immoral Traffic ( Prevention) Act, 1956.

2] Read the application, Say of prosecution and investigating agency. I have gone through the FIR and documents on record. It is seen that the present applicant/accused is arrested on 30/07/2023 and since then he is behind bars.

3] The prosecution objected the application on the contentions that the nature of the offence is serious, if the applicant is released on bail he will tamper the evidence and prayed for rejection of the application.

4] It is seen from the record that the police with the help of the fake customers effected raid and during that raid, the present applicant/accused is arrested. It is seen from the record that the victims are major in age. It is seen that none of the victim is minor in age. Nature of the offence is serious but it is seen that about one month, the applicant is behind bars. Say of the Investigating Officer itself disclosed that nothing is to be seized or discovered from the applicant. More particularly, it is seen that most of the investigation is completed. Considering the submissions of the Learned APP that the applicant will tamper the evidence, I am of the view that by putting stringent conditions on the applicant will suffice the purpose of investigation. No purpose will be served by keeping the applicant behind bars for an indefinite period. Moreover, there is nothing coming on record that the applicant is having criminal antecedents. Hence, in such circumstances, I am of the view that the applicant is entitled for bail. Hence, the order :-

**ORDER**

- 1) Applicant Bini Roy R be released on bail on executing P. R. Bond and S.B. of Rs. 50,000/- and with one more sureties in the like amount, in connection with C.R. No2282023, registered with Vashi Police Station, under sections 370 r/w Section 34 of Indian Penal Code and under Section 3,4,5 of Immoral Traffic (Prevention) Act, 1956.
- 2) Applicant to attend concern police station on each Saturday between 2 to 3 p.m. till filing of chargesheet.
- 3) Applicant to attend court dates regularly, moreover, he shall not tamper evidence in any manner.

- 3) Applicant not to commit similar types of offence.
- 5) Applicant to submit photographs, mobile number and address proof of himself, his surety and of his two blood relatives.
- 6) Applicant not to leave India without prior permission of the Court.

Belapur.  
Date : 30/08/2023.

( P. A. Sane )  
Additional Sessions Judge, Belapur.  
Navi Mumbai.