

ORDER BELOW EXH.1 IN CRI. BAIL APPLN. NO. 615/2026

Devanand alias Deva Shriram Chauhan vs. The State

(Date : 03.08.2026)

After being arrested in connection with Crime No.103/2026 of Rabale MIDC Police Station, District Thane, for offences punishable under Section 143(3) of The Bharatiya Nyaya Sanhita, 2023 (hereinafter 'BNS') and Sections 4, 5 of The Immoral Traffic (Prevention) Act, 1956 (hereinafter 'P.I.T.A.'), the applicant, **Devanand alias Deva Shriram Chauhan**, has applied for regular bail under Section 483 of The Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter 'BNSS').

2. Facts of the C.R. No.103/2026 -

Succinctly detailing a variety of allegations and narrating the sequence of events, the contents of the F.I.R. disclose that on 11.03.2026 at about 14.05 the informant (a police constable) and his team of Rabale MIDC police station, upon credible information, conducted a raid and arrested the co-accused Mamta Devisaran Singh from a place near McDonalds Restaurant opposite to Rabale railway station for living on the earnings of prostitution and for inducing the victims for the sake of prostitution. The name of the applicant surfaced during her interrogation that he used to provide the girls to her for prostitution and used to assist her.

3. Rival Claims.

a) On behalf of the Applicant : The applicant has prayed to be admitted to bail, contending that he has been falsely implicated in the case and that nothing incriminating has been recovered from him. It is submitted that the applicant is innocent, has not committed any offence whatsoever. It is further contended that the applicant is the sole earning member of his family, there is no likelihood of the applicant tampering with the prosecution evidence, the investigation of the case *qua* the applicant is complete and charge-sheet is filed, no useful purpose would be served by keeping him in further custody.

b) On behalf of the State / Investigating Agency:

The investigating officer has filed a say (Exh.4) and asserts that the F.I.R. and social media communication between the applicant and the co-accused Mamta specifically detail his role in the offences and support the prosecution version that he used to provide victims/girls for prostitution to the co-accused Mamta. The prosecution further submits that if released on bail, the applicant is likely to tamper with prosecution witnesses or commit similar offences. It is also contended that he will not co-operate with the process of law; therefore, the bail application ought to be dismissed.

4. Arguments.

a) Learned Counsel for the Applicant : The learned counsel appearing for the applicant urges that a bare reading of the

charge-sheet reveals no reasonable grounds for believing that the applicant has committed the alleged offence. It is argued that custodial interrogation is no longer required, especially since the applicant has already been remanded to judicial custody following his initial police remand and charge-sheet is filed. The counsel further notes that the magnitude of the offence cannot be the sole criterion for denying bail. The applicant is a permanent resident of Vile Parle (E), Mumbai, Maharashtra State with no criminal antecedents and poses no flight risk, he is ready to abide by any stringent conditions imposed by this Court.

b) Learned Additional Public Prosecutor (A.P.P.) :

Per contra, the learned A.P.P. has strongly resisted the application, arguing that the allegations against the applicant are grave and sufficient to demonstrate the commission of offences punishable under Sections 7, 12 of P.O.C. Act, 2018, the applicant took disadvantage of vulnerability of poor girls. The learned A.P.P. contends that while the Court need not go into the minute details of the case at this stage, the applicant cannot claim innocence given the facts and circumstances. Furthermore, it is argued that despite the absence of prior convictions, the applicant's conduct reflects a criminal mindset. Therefore, his continued custody is essential for completion of trial in fair manner and the application should be dismissed.

5. Analysis

a) After hearing the learned counsels for both sides, examining the record with their assistance, and considering the matter deeply, there appear to be no reasonable grounds at this stage for believing that the applicant has committed an offence punishable exclusively with death or imprisonment for life. The say filed by the investigating officer does not disclose that the applicant has any prior convictions for offences punishable with death, imprisonment for life, or imprisonment for seven years or more; nor has the applicant been convicted on two or more occasions of a cognizable offence punishable with imprisonment between three and seven years.

b) The facts narrated in the F.I.R. disclose that the co-accused Mamta was arrested for immoral trafficking of girls for prostitution. Although the applicant was not arrested at the spot, his role was explained by the co-accused Mamta that he used to provide girls for prostitution. The investigation of the offence is over and charge-sheet bearing R.C.C. No.1054/2026 is filed. Furthermore, it is not prosecution case that the victims made statements before police that they were forced into prostitution by the applicant. Therefore, the applicant has made out a good case for grant of bail. Given that the applicant is a permanent resident of Vile Parle (E), Mumbai, no flight risk is associated with him. The applicant is currently in judicial

custody, which indicates that his physical presence with the police is no longer required for the purpose of investigation. The magnitude of the offence cannot be the sole criterion for the denial of liberty, and the conclusion of the trial will naturally take time. As such, keeping the applicant behind bars indefinitely serves no punitive or preventive purpose. The apprehensions raised by the investigating agency regarding the applicant jumping bail or non-cooperation can be effectively addressed by imposing stringent conditions.

c) Taking into consideration the totality of the facts and circumstances emanating from the record, the nature of the accusations, and the reasons discussed above—without commenting on the merits of the case so as to avoid prejudice to either side during the trial—it is just and proper to direct the release of the applicant on bail. Hence, the following order is passed :

ORDER

1.	Bail application no.615/2026 is allowed and disposed of.
2.	The applicant, Devanand alias Deva Shriram Chauhan , Age 30 years, R/o Sabji Market, Near Super Market, Vile Parle (E), Mumbai, is enlarged on bail in connection with Crime No.103/2026 of Rabale MIDC Police Station, District Thane, for offences punishable under Section 143(3) of BNS and Sections 4, 5 of P.I.T.A., upon executing a Personal Recognizance (P.R.) Bond of Rs.50,000/- with one or more sureties in the like amount.
3.	The applicant shall not commit any offence similar to the offence of which he is accused.

4.	The applicant shall attend Rabale MIDC police station on every Saturday and Sunday between 10.00 a.m. and 11.00 a.m. till further order and he shall be released after recording his presence.
5.	The applicant shall make himself available for interrogation by the investigating officer as and when reasonably required.
6.	The applicant shall immediately inform both the Trial Court and the investigating officer of any change in his residential address during the investigation, inquiry, or trial.
7.	The applicant shall furnish his active mobile number to the investigating officer and shall keep the said mobile phone operational at all times.
8.	The applicant shall not, directly or indirectly, make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to the police, nor shall he tamper with the evidence in any manner.
9.	Violation of any of the aforementioned conditions by the applicant shall result in the immediate cancellation of the bail granted herein.
10.	This order shall be communicated to the concerned Police Station forthwith for information and compliance.
11.	A digital copy of this order shall be forwarded via e-mail to the applicant through the Jail Superintendent forthwith.
12.	By way of abundant caution, it is clarified that the observations made hereinabove are limited to the adjudication of this bail application and shall not be construed as an opinion on the final outcome of the trial.

sd/-

Date : 03.08.2026

(C. V. Marathe)
Additional Sessions Judge, Belapur.

CERTIFICATE

I affirm that the contents of this PDF judgment /order are same word to word as per the original order.	
Name of the Stenographer	: M. P Joshi, Steno Grade-1
Name of the Court	: District Judge-1 & Addl. Sessions Judge, Belapur.
Date of the Judgment/Order	: 03.08.2026
Judgment /Order signed by the P.O. on	: 03.08.2026
Judgment/Order uploaded on	: 03.08.2026

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