



**IN THE COURT OF SPECIAL JUDGE  
AT PANVEL, DISTRICT- RAIGAD**

SPECIAL CASE NO.80/2023

The State of Maharashtra

--- Prosecution

Vs.

Sate Anishek Shaikh @ Sate Masharful Shaikh --- Accused  
& Anr.

**Corum** - Santosh C. Shinde

**Date** – 10<sup>th</sup> April 2026

**Appearance-**

Ld. advocate Mr. Dinesh Shah for the accused

Ld. Spl. P. P. Smt. Wade for the State of Maharashtra.

**Order below exh.18**

1. Heard Ld. advocate Mr. Dinesh Shah for accused & Ld. Spl. P. P. Smt. Wade for the State.
2. Notice was issued to victim & State of Maharashtra. Say is not filed therefore, application proceeded without say.
3. Perused record.
4. As per allegations in FIR, both accused had brought victim in Mumbai pretending that they will give her work and settle her in life. It is alleged that they forced her in prostitution and they were living on the earnings of victim. In raid,

conducted by the police, victim was rescued and accused were arrested.

5. Ld. advocate for accused No.1 submitted that accused No.2 is on bail. First bail application of present accused was rejected on merit. There is contradiction in statement of victim. After that, trial is not commenced and charge is not yet framed. Accused No.1 is in jail for last 3 years. There is no proper compliance of arrest. Speedy trial is right of accused but same is violated as there is no progress in trial. For these reasons ,accused No.1 be released on bail.
6. Ld. Spl. P. P submitted that accused were arrested after raid. Offence is serious in nature. Pendency of trial could not be ground for bail. Prosecution is ready to expedite the matter. If released on bail, accused may repeat the offence.
7. FIR shows that secret information was received by police that girls for prostitution are provided on address of accused therefore, fake customer was sent and in raid accused No.1 and victim were found. As per prosecution, victim was brought by both accused in Mumbai pretending to her parents that they will give her a good work and settle her in life but in fact, she was forced to prostitution and on the earnings of victim accused were living.
8. Record shows that this is second bail application of accused No.1 after filing of charge-sheet. Her first bail application was rejected on merit on 6<sup>th</sup> February 2024 by my Ld. Predecessor. Victim in her statement recorded by the Magistrate has not stated that she was brought by accused

on false claims. That statement of victim is contradictory to case of prosecution.

9. Offence has occurred in the year 2022. Accused No.1 was arrested on 23<sup>rd</sup> February 2023 ,since then she is behind bars. Record shows that accused No.2 is on bail. Yet charge is not framed. In present case, prosecution intends to examine 15 witnesses. Now doubt, previous bail application of accused No.1 was rejected on merit but if right of accused to speedy trial is considered then since last 3 years, prosecution has not expedited the trial.
10. Apart from the merit of the case, if period of incarceration of accused No.1 is considered then I am of the view that it will take time to conclude the trial and it would be in the interest of justice to keep accused No.1 behind bars for indefinite period otherwise it will amount to pre-trial conviction. She can be released by imposing certain conditions. As a result, I pass following order.

### **ORDER**

1. Application is allowed.
2. Accused Sate Anishek Shaikh @ Sate Masharful Shaikh be released on bail on furnishing P.B. & S.B. of Rs.30,000/- (Rupees Thirty Thousand) with one or two sureties in like amount in crime No.52/2023 registered at Kalamboli Police Station, Navi Mumbai for offences punishable u/s.370 r/w 34 of IPC, u/s.3, 4 & 5 of the Immoral Traffic (Prevention) act (PITA) & u/s.12 of the POCSO Act, if she is not required in any other offence.

3. Accused shall not contact to victim or her family members.
4. Accused, till further orders, shall not enter in area where victim & her family ordinarily resides or works for gain.
5. Accused shall not, directly & indirectly, make any inducement, threat or promise to any person acquainted with facts & circumstances of case so as to dissuade her from disclosing such facts to the police & Court.
6. Accused shall not leave India without previous permission of the Trial Court.
7. Accused shall furnish her permanent & temporary residential proof, valid e-mail ID and mobile number.
8. Registry is directed to inform accused about this order by e-mail.

(Application is disposed of accordingly)

Panvel  
Date - 10/04/2026

**(Mr. S. C. Shinde)**  
Special Judge, Panvel  
Dist.-Raigad