

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3051 OF 2019

Brijesh Lalsab Singh	...Applicant
V/s.	
The State of Maharashtra	Respondent

Mr. Silvin Y. Kale, Advocate for the applicant.

Mr. Ajay Patil, APP for State.

PSI, Mr. P.B. Desai, Malvani Police Station
present.

CORAM : SANDEEP K. SHINDE, J.

Thursday, 5th December, 2019.

P.C. :

1. Heard learned Counsel for the parties.
2. Victim is the daughter of the applicant.
Offence punishable under Section 354 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, 2012 has been registered by the applicant-wife.
3. I have perused the complaint.

Investigation is over.

4. Learned APP submits that, besides the statement of the complainant, two daughters have also corroborated the alleged incident.

5. The applicant came to be arrested on 13th November, 2017. Till date, even the charge is not framed. The punishment for the offence punishable under Section 8 of the POCSO Act is not less than three years but it may extend to five years.

6. The applicant is in the custody since November, 2017 i.e. almost for two years. The trial is not likely to commence in the near future. The applicant's presence for trial can be secured by imposing conditions.

7. Learned APP submits that in view of the relationship between the applicant and the complainant, the applicant may be released on a condition that he shall not enter the limits of

Malad till the trial is not completed.

8. The Bail Application is allowed.

9. The applicant is directed to be released on bail in C.R. No. 694 of 2017 registered with Malvani Police Station on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one or two sureties in the like amount.

10. The applicant shall attend the Police Station concerned as and when called.

11. The applicant shall furnish his new address outside Malad to the Investigating Officer of the Police Station concerned within seven days from his release from the jail.

12. He shall furnish the mobile number to the Investigating Officer concerned.

13. The applicant shall not tamper with the

evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

14. The Bail Application is allowed in the aforesaid terms.

(SANDEEP K. SHINDE, J.)