

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3269 OF 2019

Mukesh Kalpanath Gupta	...Applicant
V/s.	
The State of Maharashtra	Respondent

Mr. P.R. Yadav i/by Ms. Sarita, Advocate for the applicant.

Mr. Y.M. Nakhawa, APP for Respondent-State.

Ms. Savita Thombare, PSI, Sahar Police Station.

CORAM : SANDEEP K. SHINDE, J.

Tuesday, 21st January, 2020.

P.C. :

Heard.

1. It is an application under Section 439 of the Code of Criminal Procedure, 1973.

2. That, since the applicant accused did not remain present, from February, 2019, the learned Additional Sessions Judge issued non-bailable warrant against him and took into judicial custody and declined to release him on bail.

3. Applicant is accused, facing the trial for offences, punishable under Sections 363, 376 of the

Indian Penal Code, 1860 ("IPC" for short) and Section 3 and 4 of Protection of Children from Sexual Offences, 2012 ("POCSO" for short). He was released on bail vide order dated 28th December, 2015. Learned counsel for the applicant on instructions, from father of the applicant, undertakes that the applicant shall remain present before the trial Court on each date of the hearing. Undertaking is accepted.

4. In view of the facts aforesaid and undertaking, applicant is directed to be released on bail on following conditions.

ORDER

(i) The applicant is directed to be released on bail on furnishing P.R. Bond for the sum of Rs.20,000/- with one solvent surety for the like sum;

(ii) The applicant shall furnish particulars of his residential address and contact details to

the investigating officer as and when required;

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

5. The application is allowed in the aforesaid terms and disposed off.

(SANDEEP K. SHINDE, J.)