

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3622 OF 2019

Ravi @ Vakilkumar Shankar Paswan ...Applicant
V/s.
The State of Maharashtra and Ors. Respondents

Ms. Neha M. Patil Advocate for the applicant.
Ms. J.S. Lohakare, APP for Respondent-State.

CORAM : SANDEEP K. SHINDE, J.

Monday, 27th January, 2020.

P.C. :

Heard.

1. Applicant seeks enlargement on bail in Crime No. 458/2018 registered with Kandivali Police Station for the alleged offences punishable under Section 354, 354-D, 504 and 506 of the Indian Penal Code, 1860 read with Section 8, 12 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO" for short).

2. I have perused the final report. The

applicant is in custody since 8th September, 2018. The facts of the case, narrated by the victim to the Medical Officer prima facie, appears to be contrary to her version/ complaint made to the police. While all offences are punishable with imprisonment for not more than three years; so far as offence punishable under Section 8 of POCSO is concerned, it is punishable with a term for not less than 3 years but which may extend to 5 years.

3. Be that as it may, the investigation is over and the final report is filed. The applicant is in custody since more than a year and four months. The trial may not commence or conclude in the near future, however applicant's presence for the trial can be secured by imposing conditions.

ORDER

(i) The applicant is directed to be released on bail on executing P.R. Bond for the sum of Rs.25,000/- with one or two local surety in the like sum; for the reasons that the applicant is

not a ordinary resident of State of Maharashtra;

(ii) The applicant shall furnish the particulars of his residential address as well as permanent address and contact details to the investigating officer within seven days from the date of his release on bail;

(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;

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

5. It is made clear that the observations made hereinabove shall be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)