

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.1268 OF 2021

OmPrakash Ramsundersingh Chauhan ... Applicant
Vs.
State of Maharashtra ... Respondent

Mr. Nitin Gangal a/w. Mr. Ashok Kadam for Applicant.
Mr. Ajay Patil, APP for Respondent-State.

CORAM : NITIN W. SAMBRE, J.
DATE : NOVEMBER 30, 2021

P.C. :

Perused the medical evidence and other materials on record. The same does not support the case of the prosecution as there are no external injuries to the victim. At the most the offence could be made punishable under Sections 4, 6 and 8 of the POCSO Act, maximum punishment for which is five years. Applicant has already suffered incarceration for more than two years. As such, case is made out for granting bail.

2. Hence, applicant is directed to be released on bail in C.R.No.161 of 2019 registered with Rabale MIDC Police Station, Navi Mumbai for the offences punishable under Sections 376, 376(AB) and 506 IPC read with Sections 4, 6 and 8 of the POCSO Act on executing P.R. Bond in the sum of Rs.15,000/- with one or more sureties in the like amount. Applicant shall neither directly or indirectly try to influence the prosecution witnesses nor tamper with the evidence. Applicant shall also not try to directly or indirectly contact the victim or her family members till conclusion of the trial. Applicant shall remain outside the jurisdiction of the concerned Police Station where victim and her family members reside till conclusion of the trial.

3. Application is accordingly disposed of.

(NITIN W. SAMBRE, J.)