

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1527 OF 2021

Raju Mohan Pawar ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Dr. Uday Warunjikar for the Applicant.
Mr. Amit A.Palkar, APP for the Respondent-State.

CORAM : SANDEEP K. SHINDE J.
DATE : 27th AUGUST, 2021.

P.C. :

Heard Dr. Warunjikar, the learned counsel for the applicant and the learned Additional Public Prosecutor for the State.

2 Applicant seeks his enlargement on bail in connection with the Crime No.875 of 2020 registered with Charkop Police Station, Kandiwali (West) for the offences punishable under Sections 363, 370 and 34 of the Indian

Penal Code, 1860.

3 Prosecution case in brief, is that the applicant kidnapped child of one year old from the custody of biological mother and sold it to accused nos.3 and 4 for consideration.

4 Surprisingly, the prosecution has not invoked the Section 81 of the Juvenile Justice (Care and Protection) Act, 2015, which provides that any person, who, sells or buys child for any purpose shall be punished with rigorous imprisonment for a term, which may extend to five years and shall also be liable to fine of Rs.1 Lakh.

5 Be that as it may, in the case in hand, investigation is over and the charge-sheet has been filed. Applicant has been incarcerated for a year and one month. There are no criminal past record against the applicant of committing the offence of similar in nature. It is submitted

that the accused nos.3 and 4 have been granted bail by this Court. Trial is not likely to commence in near future.

6 In consideration of the facts of the case, in my view, case is made out for granting bail to the applicant and hence, the following order;

ORDER

(i) The applicant in Crime No.875 of 2020 registered with Charkop Police Station, Kandivali shall be released on executing PR bond for the sum of Rs.25,000/- with one or more sureties in like sum.

(ii) The applicant shall furnish his present and permanent residential address and mobile particulars to the Investigating Officer within two weeks from the date of his release on bail.

(iii) The applicant shall report to the Investigating Officer or concerned police station twice a month, i.e. 1st and 2nd Monday of every month at-least for six months and

thereafter once in a month, i.e. first Monday of every month till the charge is framed.

7 The application is accordingly allowed and disposed of.

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

(SANDEEP K. SHINDE, J.)