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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2188 OF 2021**

AKSHAY HARISH HELIYA

....Applicant.

V/s

THE STATE OF MAHARASHTRA

.....Respondent

Mr. Niranjan Mundargi i/b Mr. Ashok P. Maru for the Applicant.

Mrs. A. A. Takalkar APP for the Respondent/State.

PSI Ganesh Jadhav, N.M. Joshi Marg Police Station, present.

Complainant XXXXX is present in Court.

CORAM: NITIN W. SAMBRE, J.

DATE: DECEMBER 03, 2021

P.C.:-

1] Applicant is seeking regular bail after he has been chargesheeted in C.R. No.11 of 2021 registered with N. M. Joshi Marg Police Station, District – Mumbai for the offence punishable under Sections 376(2), 376(3), 354, 323, 504, 506 of the IPC and Sections 6, 10, 12 of POCSO Act.

2] The victim girls who are step-daughters of the Applicant have retracted from their allegations in the complaint as can be inferred from statement recorded under Section 164 of the Criminal Procedure Code. Even mother of the victims has not supported the case of the prosecution. The complainant who is present in Court and identified by the Investigating Officer informs that she is not opposing prayer of the Applicant for bail. As such, case for bail is made out.

3] Applicant is directed to be released on bail in C.R. No.11 of 2021 registered with N. M. Joshi Marg Police Station, District - Mumbai for the offence punishable under Sections 376(2), 376(3), 354, 323, 504, 506 of the IPC and Sections 6, 10, 12 of POCSO Act on furnishing P. R. Bond in the sum of Rs 15,000/- with one or more sureties in the like amount. Applicant shall remain outside the jurisdiction of the concerned Police Station till conclusion of the Trial.

4] Application is disposed of.

(NITIN W. SAMBRE, J.)