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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2668 OF 2021

SHAMIM SHABBIR SHAIKH

....APPLICANT

V/s.

**THE STATE OF MAHARASHTRA
AND ANR**

.....RESPONDENTS

**Mr. Mishra N. P. for the applicant
Mrs. J. S. Lohokare APP for the State**

CORAM : NITIN W. SAMBRE, J.

DATE: 15th NOVEMBER, 2021.

P.C.:

1] Applicant is seeking bail in C.R. No. 156/2018 registered with Vanrai Police Station for offence punishable under Sections 376, 354 of the Indian Penal Code r/w Section 4, 8 & 12 of Protection of Children from Sexual Offences Act, 2012.

2] Applicant was apprehended at the spot of the incident on the date of incident i.e. on 17/05/2018. Applicant has suffered incarceration for last more than 3 and half years.

3] Case of the prosecution neither supported by medical evidence nor by forensic evidence. As such, case for grant of bail is made out.

(i) Applicant be released on bail in C.R. No. 156/2018 registered with Vanrai Police Station for offence punishable under Sections 376, 354 of the Indian Penal Code r/w Section 4, 8 & 12 of Protection of Children from Sexual Offences Act, 2012 upon furnishing P.R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount.

(ii) Applicant shall neither influence the prosecution witnesses in any manner nor tamper with the evidence.

(iii) Applicant shall not contact the victim or her family members in any way.

(iv) Applicant shall outside the jurisdiction of Vanrai Police Station till the conclusion of trial.

4] Application stands disposed of.

[NITIN W. SAMBRE, J.]