

ISM

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3563 OF 2021**

SHIVPRASAD RAMCHANDRA GUPTA APPLICANT

V/s.

**THE STATE OF MAHARASHTRA RESPONDENTS
AND ANR**

Mr. B. M. Shaikh i/b Mr. Khwaja B. Tabrez a/w Mustafa A. Hussain,
U. A. Shaikh and Purvi Palkar for the applicant
Mr. Ajay Patil APP for the State

CORAM : NITIN W. SAMBRE, J.

DATE: DECEMBER 1, 2021.

P.C.:

1] Applicant is seeking regular bail in C.R. No. 211/2020 registered with Sahar for Offences punishable under Sections 376(2)(i)(n), 506 of the Indian Penal Code and under Sections, 4, 6, & 8 of Protection of Children from Sexual Offences Act, 2012.

2] Applicant has already suffered incarceration for a period of one year. None appears for complainant though served.

3] There is hardly any evidence on record to infer prima facie involvement of the applicant including that of medical evidence. Undue delay in lodging F.I.R. is not explained. As such, case for bail is made out.

(i) Applicant be released on bail in C.R. No. 211/2020 registered with Sahar for Offences punishable under Sections 376(2) (i)(n), 506 of the Indian Penal Code and under Sections, 4, 6, & 8 of Protection of Children from Sexual Offences Act, 2012 upon furnishing P.R. bond in the sum of Rs. 10,000/- with one or more sureties in the like amount.

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

(iii) Applicant shall not establish contact with the victim or her family members.

4] Application stands disposed of.

[NITIN W. SAMBRE, J.]