

Shambhavi
N. Shivgan

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

BAIL APPLICATION NO.2649 OF 2019

Dhiraj Hariprasad Yadav ... Applicant
Vs
The State of Maharashtra ... Respondents
...

Mr. Dinesh Tiwari with Mikhail Dey & Ansh Karnawat
i/by Dinesh Tiwari and Associates for the Applicant.

Mr. S.R.Agarkar, APP for the Respondent-State.

PSI M.S.Dagade attached to Vakola P.Stn. Present.

***CORAM : SANDEEP K. SHINDE J.
DATE : 24th FEBRUARY, 2021.***

P.C. :

Heard.

2 Applicant is cited as accused in POCSO Special
Case No.516 of 2017 arising from Crime No.357 of 2017
registered under Sections 4,8 and 12 of the Protection of
Children From Sexual Offences Act, 2012 read with Sections
376(2)(f)(i), 354 and 506 of the Indian Penal Code, 1860.

3 Trial of the subject crime is in progress and complainant's mother has been examined by the prosecution. The learned Trial Judge has scheduled trial on 25th February, 2021 for cross-examining the complainant's mother.

4 The learned counsel for the applicant submits that applicant is represented by an advocate appointed by the Legal Aid. I am unable to understand how this is relevant for deciding this application while trial is ongoing on day-to-day basis.

5 In the circumstances, the applicant is directed to cross-examine complainant's mother tomorrow, i.e., 25th February, 2021.

6 In consideration of the facts aforesaid, I am not inclined to entertain the application. Application is dismissed.

(SANDEEP K. SHINDE, J.)