

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

BAIL APPLICATION NO. 814 OF 2021

Mehfuz Maqsoodalam Shaikh	 Applicant
v/s.	
The State of Maharashtra	 Respondent

Mr. Shadab Khopekar for the Applicant.
Ms. Ankita Bamboli, amicus curiae for the complainant/victim.
Mr. M.G. Patil, APP for the State.

CORAM: SMT. ANUJA PRABHUDESSAI, J.

DATED : 05th MAY, 2022.

P. C. :-

. This is an Application under section 439 of Cr.PC. filed by the aforesaid Applicant who is facing trial in Special (P) Case No.192/2019 pending on the file of Additional Sessions Judge – 7, Thane.

2. Heard Mr. Khopekar, learned counsel for the Applicant, Ms. Bamboli, learned counsel for the complainant/victim and Mr. M.G. Patil, learned APP for the State. I have perused the records and considered the submissions advanced by the learned counsel for the respective parties.

3. The records indicate that the Applicant is facing trial for offences

under sections 354A, 354D, 341 and 509 of the Indian Penal Code and Section 12 of Protection of Children from Sexual Offences (POCSO) Act, 2012. The maximum sentence for the aforesaid offences is three years. The Applicant is in custody since 03/05/2019. It is stated that till date, charge is not yet framed. Considering the large pendency, the trial is not likely to conclude within a reasonable period. Under the circumstances, the Applicant is entitled for bail. Hence, the Application is allowed on the following terms and conditions :-

- (i) The Applicant who is facing trial in Special (P) Case No.192/2019 pending on the file of Additional Sessions Judge – 7, Thane, is ordered to be released on cash bail in the sum of Rs.25,000/- for a period of four weeks ;
- (ii) The Applicant shall, within the said period of four weeks, furnish P.R. bonds in the sum of Rs.25,000/- with one or two solvent sureties in the like amount ;
- (iii) The Applicant shall report to Naya Nagar Police Station once in two months on every 1st Monday between 11.00 a.m. to 02.00 p.m. until further orders;

- (iv) The Applicant shall not interfere with the complainant and the other witnesses and shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case in any manner ;
- (v) The Applicant shall keep the Trial Court informed of his current address and mobile contact number and/or change of residence or mobile details, if any, from time to time.
- (vi) The Applicant shall co-operate with the conduct of the trial and attend the trial Court on all dates, unless exempted.

4. Bail Application stands disposed of in above terms.

**PREETI
H JAYANI**

Digitally signed by
PREETI H JAYANI
Date: 2022.05.10
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(SMT. ANUJA PRABHUDESSAI, J.)