

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

BAIL APPLICATION NO. 2174 OF 2021

Santosh Ramesh Dambre

..Applicant

v/s.

The State of Maharashtra .

..Respondents

Ms. Vandana Singh i/b. Mohd. Saheed A. Mogul for the Applicant.
Mrs. Rutuja Ambekar, APP for the State.

CORAM : ANUJA PRABHUDESSAI,J.

DATED : 29th MARCH, 2022.

P.C.

1. This is an application for bail filed under Section 439 Cr.P.C. by the aforesaid applicant, who is facing trial in Special Case No.146 of 2021, pending on the file of the Special Judge under POCSO Act, Sessions Court, Borivali Division, Dindoshi, Goregaon, Mumbai .
2. Heard Mr. Singh, learned Counsel for the Applicant and Mrs. Ambekar, 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 case of the prosecution is that the Applicant had committed

sexual assault on the victim who suffers from mental disability. The maximum punishment for the offence of aggravated sexual assault is of 7 years. The Applicant is already in custody since last one year. It is stated that the charge is not yet framed. Considering the large pendency of cases, in the trial is not likely to commence in immediate future. Under the circumstances, the application is allowed on the following terms and conditions:-

- (ii) The Applicant who is facing trial in Special Case No.146 of 2021, pending on the file of the Special Judge (POCSO), Sessions Court, Borivali Division, Dindoshi, Goregaon, Mumbai be released on bail, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two solvent sureties in the like amount, to the satisfaction of the learned Special Judge, Sessions Court, Dindoshi, Mumbai;
- (iii) The Applicant shall report to the Investigating Officer or Sr. P.I. of the concerned police station on the first Monday of every month until further orders;
- (iv) The Applicant shall attend on all the dates before the Special Judge, Sessions Court, Dindoshi, Mumbai.

- (iv) The Applicant shall not interfere with the victim or any other witnesses, or tamper with the evidence in any manner;
- (v) The Applicant shall provide his permanent as well as temporary address, if any, and his contact details to the Investigating Officer and in the bail bond;
- (vi) The Applicant shall not change his residential address without prior intimation to the Investigation Officer.

PRASANNA P
SALGAONKAR

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(ANUJA PRABHUDESSAI, J.)