

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**BAIL APPLICATION NO. 2981 Of 2021**

Rabbi @ Asrar Ahmed Mustaq .. Applicant  
Siddiqui

Versus

The State of Maharashtra .. Respondent

...

Mr.Vaibhav Karnik with Mr.Tejkiran Palaya, Suresh Parab and  
Asif Shaikh for the applicant.

Mr.Swaraj Jadhav for the complainant.

Mr. H.J.Dedhia, APP for the State.

**CORAM: BHARATI DANGRE, J.**

**DATED : 18<sup>th</sup> OCTOBER, 2022**

**P.C:-**

1           The applicant is facing charge u/s.377, 323, 506 II of  
the IPC along with Sections 4, 8 and 12 of the POCSO Act, and  
he is charge-sheeted as accused no.2.

2           On expressing my disinclination to entertain the  
application in the wake of the material compiled in the charge-  
sheet and also the statement of the victim recorded u/s.164 of  
Cr.P.C, learned counsel seek permission to withdraw the  
application.

He would however submits that the applicant is  
incarcerated since 4/11/2019 and till date, even charge has not  
been framed.

3           Considering the long incarceration, I deem it appropriate to request the Special Court to frame the charge within a period of three months from today, and conclude the trial within a period of one year.

4           If the aforesaid exercise is not completed within one year, the applicant is at liberty to renew his request for being released on bail on the ground of long incarceration.

5           Application is disposed off.

( SMT. BHARATI DANGRE, J.)