

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

**INTERIM APPLICATION NO. 3536 OF 2022  
IN  
CRIMINAL APPEAL NO. 667 OF 2022**

Mohammed Tarik Islam Shaikh ..Appellant

Versus

The State of Maharashtra & Anr. ..Respondents

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Mr. Priyal G. Sarda for Appellant.  
Mr. S. R. Agarkar, APP for State/Respondent No.1.

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**CORAM : SARANG V. KOTWAL, J.  
DATE : 18<sup>th</sup> OCTOBER 2022**

**PC :**

1. The Appellant has preferred this Criminal Appeal No.667 of 2022 against his conviction and sentence passed by learned Additional Sessions Judge, Thane, in Special (POCSO) Case No.269 of 2018. He is convicted for commission of offence punishable U/s.509 of I.P.C. and U/s.12 of the Protection of Children from Sexual Offences Act (for short 'POCSO Act'). He was sentenced to suffer R.I. for two years; as the major punishment. While admitting the Appeal, the appellant was granted bail by

order dated 08/07/2022 passed in I.A.No.2124 of 2022 in the said Appeal. The Appellant was directed to furnish P. R. bond in the sum of Rs.50000/- with one or two solvent local sureties in the like amount. He was also granted the facility to furnish provisional cash bail for a period of twelve weeks from that date. The Applicant was already on bail pursuant to the order passed U/s.389 of Cr.p.c. After this order dated 08/07/2022 he neither furnished cash bail nor furnished surety as directed and the present application is filed for extension of time to comply with the order dated 08/07/2022 and for modification of the condition of furnishing P. R. bond of Rs.50000/-.

2. I have heard learned counsel for the applicant. I have considered the merits of the matter. Since after passing of the order dated 08/07/2022 the applicant has not furnished the sureties as directed, but to certain extent leniency can be shown to him and the amount of bond can be reduced. But, ultimately, the applicant will have to furnish local solvent sureties as directed.

3. Hence, the order:

O R D E R

- i) The Clauses (a) and (b) in the order dated 08/07/2022 are modified. They shall be read as follows:
- ii) The Applicant be released on bail in Special Case (POCSO) No. 269 of 2018 arising out of C.R.No.16 of 2018 registered with Chitalsar Police Station, Thane on his furnishing P. R. bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- iii) The Applicant is permitted to furnish provisional cash bail for a period of twelve weeks from today i.e. from 18/10/2022 and during that period he is directed to comply with the conditions of furnishing solvent sureties.
- iv) The Clauses (c) and (d) of the order dated 08/07/2022 are maintained as they are.

v) With these directions the application is disposed  
of.

**(SARANG V. KOTWAL, J.)**