

Versus

The State of Maharashtra ... Respondent

Mr. Pandit Kasar for the Applicants.
Mr. Amit Palkar, APP for the State.

CORAM : N.R. BORKAR, J.
DATED : 20 APRIL 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for grant of bail.

2. The applicants came to be arrested in Crime No. 321 of 2017 registered at Narayangaon Police Station, Pune for the offences punishable under Sections 370, 371, 341 and 366A of Indian Penal Code, Sections 3, 4, 5, 6, 7 of the Immoral Traffic (Prevention) Act, 1956 and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. I have heard the learned Counsel for the applicants and the learned APP for the State.

4. The bail is sought on the ground of prolong incarceration as an under-trial.

5. This Court by order dated 20 October 2021 in Bail Application No. 810 of 2019 filed by the present applicants directed the trial Court to conclude the trial within a period of one year.

6. The learned Counsel for the applicants submits that the trial is still at the stage of framing of charge. It is submitted that the applicants are in jail for more than 5½ years.

7. Considering the overall facts and circumstances, I am inclined to release the applicants on bail. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicant No.1 – Vijay Gowda and applicant No.2 – Mahesh Gowda be released on bail in Crime No. 321 of 2017 registered at Narayangaon Police Station, Pune for the offences punishable under Sections 370, 371, 341 and 366A of Indian Penal Code, Sections 3, 4, 5, 6, 7 of the Immoral Traffic (Prevention) Act, 1956 and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or two sureties in the like amount.

(iii) The applicants shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of trial.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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