

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4163/2021
(THROUGH JAIL)**

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RAJU RAMAJI AMBALA
VS.

..APPLICANT

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Prashant Prabhakar Raul for the applicant.
Ms. A. A. Takalkar, APP for State.
API Govardhan Girawale, Manikpur Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 15, 2023.

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for bail in respect of the offence punishable under Sections 376(2)(i), 354(b), 342, 506, 509 of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012 (hereafter "POCSO Act", for short) registered vide First Information Report (FIR) No.71/2017 with Kurar Police Station.
- 3.** The applicant is in custody since March 16, 2017, for a period of more than five years and ten months. I am informed that even the charge has not been framed. The

accusations against the applicant are very serious. There are two victims. The allegation of one of the victim who is 12 years of age is that the applicant has committed an act which is the offence punishable under Section 376 of the IPC and under Section 4 of the POCSO Act. So far as other victim who is 10 years old is concerned, the applicant is alleged to have committed a lesser offence. The medical evidence is supporting the case of the prosecution considering the nature of accusations, I am not inclined to release the applicant on bail.

4. Considering that the applicant is in custody for more than five years and ten months, the trial Court is requested to expedite the trial. The trial Court is also requested to record the statements of the child witnesses within a period of one month from the date this order is placed before the trial Court. The investigating officer to do the needful.

5. Liberty to the applicant to apply for bail after a period of six months.

6. I express my gratitude for the able assistance rendered by learned counsel Mr. Prashant Raul who appeared on behalf of the applicant and argued in support

of the applicant's case.

7. This order be communicated to the applicant through Jail Authorities.

(M. S. KARNIK, J.)