



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

BAIL APPLICATION NO. 2109 OF 2023

MD ALTAF RAJA MD MAHMUD ALAM ..APPLICANT

VS.

THE STATE OF MAHARASHTRA ..RESPONDENT

Ms. Siddh Vidya a/w Ms. Shalaka Karkar i/b Siddh Vidya and
Associates for the Applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 06, 2023

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. This is an application for bail in respect of the offence
punishable under Sections 376, 377, 420, 504, 506, 500,
509 and 354-D of the Indian Penal Code and Sections
43(a), 66(C), 66(E) and 67(A) of the Information
Technology Act, registered on 29/09/2020 vide C.R. No.443
of 2020 with D.N. Nagar Police Station, Mumbai.

3. My attention is invited to the order dated 04/01/2023
where the applicant had sought leave to withdraw the

application with the liberty to file afresh after 6 months depending on the progress of the trial. I am informed that there has been no progress. The applicant appears to be arrested in another offence registered under Section 307 of the IPC which was committed on 04/07/2022.

4. A reading of the FIR, *prima facie*, reveals that the relationship between the parties was consensual in nature. The investigation is complete and the charge-sheet has been filed. The trial is likely to take a long time to conclude. As the applicant has been in custody since 10/07/2022 i.e. for a period of 14 months, the applicant can be enlarged on bail. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- MD Altaf Raja MD Mahmud Alam in connection with C.R. No. 443 of 2020 registered with D.N. Nagar Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more local sureties in the like amount.
- (c) The applicant shall attend the Investigating Officer of D.N. Nagar police station once in a month every first

Monday of the month between 11.00 a.m. and 1.00 p.m.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall not enter enter the area where the complainant is residing and shall not make any attempt to contact her.

5. The application is disposed of.

(M. S. KARNIK, J.)