

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

**BAIL APPLICATION NO. 4305 OF 2021**

Manoj Shankar alias Kailash Raut ..Applicant  
VS.  
The State of Maharashtra and anr. ..Respondents

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Akhilesh Singh, for the Applicant.  
Ms. P. N. Dabholkar, APP for the State.  
Mr. Shailesh S. Kharat, for Respondent No.2.  
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**CORAM : M. S. KARNIK, J.**

**DATE : JANUARY 20, 2023**

**P.C. :**

- 1.** Heard learned counsel for the applicant and learned APP.
- 2.** This is an application for bail in respect of C.R.No. I-655 of 2016 dated 14/11/2016 registered with Waliv Police Station for the offence punishable under sections 376(2)(i) of the Indian Penal Code, 1860 and sections 4, 6, 8 and 12 of the the Protection of Children from Sexual Offences Act, 2012.
- 3.** The applicant was arrested on 14/11/2016. The

victim at the relevant time was 4 and 1/2 years of age. The accusations against the applicant is very serious in nature. The trial has commenced. I am informed that 3 witnesses have been examined. There are 10 more witnesses to be examined. If the child witness is not examined, learned trial Court is requested to examine the child witness within a period of 1 month from the date of production of this order. The applicant is in custody for more than 6 years and 2 months. There are no criminal antecedent reported against the applicant. In view of this long incarceration, the applicant can be enlarged on bail as the trial Court is likely to take some more time as there are 10 more witnesses to be examined. Hence, the following order.

### **ORDER**

- (a) The application is allowed.
- (b) The applicant – Manoj Shankar alias Kailash Raut in connection with C.R.No. I-655 of 2016 dated 14/11/2016 registered with Waliv Police Station shall be released on bail on furnishing P.R. bond in the sum

of Rs.25,000/- with one or more local sureties in the like amount.

(c) The applicant shall not leave the area of Palghar district till the trial is over without permission of the trial Court.

(d) The applicant shall report to the investigating officer once in a week on every Saturday between 11.00 a.m. and 1.00 p.m. and co-operate with the investigation.

(e) The applicant shall not enter the jurisdiction of the police station where the victim is residing.

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

(g) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer of the concerned Police Station and shall keep him updated, if there is any change

(h) If any attempt is made by the applicant to contact or threaten the victim or the applicant is seen in the area where the victim resides, the same will be viewed very seriously.

**4.** The application is disposed of.

**(M. S. KARNIK, J.)**