

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 4030 OF 2023
IN
BAIL APPLICATION NO. 3463 OF 2023**

Vakeel Ahmed Shaikh ...Applicant
Versus
The State of Maharashtra & anr. ...Respondents

Mr. Ajinkya Badar for the Applicant.
Ms Prajta Shinde, APP for the Respondent.
PSI Yuvraj Chaudhary, Nayanagar Police Station present.
Mr. Abdul Hamid Shaikh, father of the victim is present.

**CORAM : N. R. BORKAR, J.
DATE : 06 DECEMBER 2023.
(IN CHAMBER)**

PC:-

1. This is an application for interim bail.
2. The applicant came to be arrested in C.R. No. 260 of 2021 registered at Nayanagar Police Station, Dist. Mira Bhayander-Vasai Virar for the offences punishable under Section 376 (1) of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act.
3. I have heard learned counsel for the applicant, learned APP for the respondent/State and so also the father of the victim in person.
4. The learned counsel for the applicant has tendered affidavit dated 3 December 2023. The same is taken on record and marked as “X” for the purpose of identification.

5. The interim bail is sought on the ground that there is marriage of the son and daughter of the applicant on 8 December 2023 and 11 December 2023 respectively.

6. The learned APP has tendered the report dated 6 December 2023 addressed by the Senior Police Inspector, Nayanagar Police Station. The report is taken on record and marked as "**X1**" for the purpose of identification. It appears from the report that concerned police station has verified the ground mentioned in the interim application and found it to be correct.

7. The father of the victim, however, states that the applicant may abscond if released on bail. However, considering the facts and circumstances, I am inclined to release the applicant on bail for a period of two weeks. In the result, the following order is passed.

ORDER

A. Interim Application is allowed.

B. The applicant be released on cash bail of Rs.25,000/- in C.R. No. 260 of 2021 registered at Nayanagar Police Station, Dist. Mira Bhayander-Vasai Virar for the offences punishable under Section 376 (1) of the Indian Penal Code and Section 4 of the Protection of Children from Sexual Offences Act for a period of two weeks from today.

C. The applicant shall attend the concerned police station every day between 11:00 a.m. to 2:00 p.m. except the dates on which there is a marriage of his son and daughter.

D. Needless to mention that the applicant shall surrender on or before 20 December 2023.

E. The Application is disposed of.

8. At the request of father of the victim, Ms Tripty M. Kapadia, Advocate from the Legal Aid Panel is appointed to represent him/complainant in Bail Application No.3463 of 2023. The learned counsel for the applicant shall supply copy of bail application to the appointed Advocate.

9. Bail Application No.3463 of 2023 be listed on 21 December 2023 at 2:15 p.m. in Chamber No.25, Main Building.

(N. R. BORKAR,J.)