



Diksha Rane

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

BAIL APPLICATION NO.3820/2023

RAJESH SHIRVAM PUJARI

..APPLICANT

VS

STATE OF MAHARASHTRA AND ANR

..RESPONDENTS

Adv. Visshaal Khetrefor the applicant from NGO 'Dard Se Hum Dard Tak'.
Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 8, 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 354, 354D of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 8, 12 of the Protection of Children from Sexual Offences Act, 2012 (hereafter "POCSO Act", for short) registered on 28/12/2021 vide C.R. No.790/2021 with Narpoli Police Station.

3. The First Information Report was registered on 28/12/2021. The applicant was arrested on 28/12/2021. The

victim is the daughter of the applicant. It is alleged that the applicant committed an act which is the offence under the aforesaid sections.

4. Learned APP opposed the application for bail.

5. The victim is personally present in the Court. I had requested learned APP to interact with the victim. Learned APP submitted that the victim has no objection for the enlargement of the applicant on bail.

6. The applicant is in custody for more than two years and four months with no possibility of the trial concluding any time soon. The investigation is complete. The charge-sheet has been filed. There are no criminal antecedents reported against the applicant. In the facts and circumstances of the present case, I am inclined to enlarge the applicant on bail. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Rajesh Shivram Pujari in connection with C.R. No.790/2021 with Narpoli Police Station. shall be released on bail on his furnishing P.R. Bond of Rs.10,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs.10,000/- for a period of 6 weeks in lieu of surety.

(d) The applicants shall not tamper with the evidence or give threat or inducement to the victim or any of the prosecution witnesses and shall not make any attempt to contact the victim.

(e) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(f) The Child Welfare Committee is requested to take care of the victim and make necessary arrangements to ensure that the victim is kept in Child Care Home.

(g) It is open for the trial Court to pass further orders if so required.

(h) The victim wants to reside in the Child Care Home as there is nobody to look after her.

7. The application is disposed of.

(M. S. KARNIK, J.)