

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO.379 OF 2023**

Vijay Kumar Kalyanmal Soni .Vs. State of Mah. through P.S.O., P.O. Pachpaoli,  
Nagpur, Dist. Nagpur

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

Court's or Judge's Order

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Ms S.S. Jadhav, Advocate for the applicant.

Ms H.N. Jaipurkar, A.P.P. for the non-applicant/State.

**CORAM : ANIL S. KILOR, J.**

**DATED : 11/08/2023**

1. Heard.
2. This is a successive bail application filed by the applicant after the first application was withdrawn on 13.09.2022 with liberty to file a fresh application in case there is no progress in the trial, in next six months.
3. The applicant is in jail from last about one and half years. The only allegation is that one person whose name is Soni used to come to the house of accused Ashok from whom Ashok used to take gold. It is further alleged that the said person namely Soni committed intercourse with the victim on many occasions.
4. The Police have registered the offence against the applicant only because there is a mentioned of name Soni.

5. In the above referred backdrop, the learned APP was directed to take instruction about the status of the trial and the time period within which it may conclude. Thereupon, it is informed that recently the charge is framed which fact the learned counsel for the applicant is disputing.

6. The learned APP further states that there is no possibility that in near future the trial may be concluded.

7. Thus, considering the allegation made against the applicant coupled with the fact that, he is in jail from last last one and half years and there is no possibility that in near future the trial will conclude, I am of the opinion that, the applicant is entitled for grant of bail.

a) The criminal application is **allowed**.

b) It is directed that the applicant shall be released on bail on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount in Crime No.09 of 2022, dated 05.01.2022, registered with Police Station: Pachpaoli, District: Nagpur, for the offences punishable under Sections 363, 366, 343, 376(2)(n), 370 and 506 read with Section 34 of the Indian Penal Code.

- c) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence.
- d) The applicant shall attend each and every date of hearing of the proceedings before the concerned Court and shall ensure that the trial is not prolonged or protracted on his count.

The criminal application is accordingly disposed of.

**JUDGE**