

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

CRIMINAL APPLICATION (BA) NO.380 OF 2023

Prakash S/o Namdeorao @ Ramesh Deshmukh .Vs. State of Mah. through P.S.O.,
P.O. Daryapur, Tq. Daryapur, Dist. Amravati and another

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

Court's or Judge's Order

Shri D.S. Khushlani, Advocate for the applicant.

Shri H.D. Dubey, A.P.P. for the non-applicant No.1/State.

CORAM : ANIL S. KILOR, J.

DATED : 08/08/2023

1. This is a successive bail application after withdrawal of the earlier application on 03.10.2022 with liberty to file a fresh application in case there is no progress in the trial, in next six months.

2. The learned counsel for the applicant points out that the period of more than six months has already lapsed and there is no progress in the trial and the trial is going in slow pace.

3. It is submitted that the evidence of the victim has already recorded and nothing has come out in the said evidence against the applicant.

4. The copy of deposition is filed on record and after going through the same, I am of the opinion that, in

view of the liberty granted to the applicant coupled with the fact that the trial would take a long time to conclude and further considering the fact that, the applicant is in jail since 15.03.2022 i.e. for about 17 months, the applicant should be released on 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.281 of 2014, dated 19.12.2014, registered with Police Station: Daryapur, District: Amravati, for the offences punishable under Sections 376(2) (i)(n), 504 and 506 of the Indian Penal Code and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act.
- c) The applicant shall not enter into the territorial jurisdiction Daryapur Tahsil, till the culmination of the trial, except for trial.
- d) The applicant shall provide his address along with the name of nearby police station which he shall attend the concerned Police Station on 1st and 16th day of every month in between 10.00

a.m. to 12.00 noon, till culmination of trial, except the trial.

- e) 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.
- f) 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