

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

CRIMINAL APPLICATION (BA) NO. 460/2023

Savita @ Samba Satish Gore (In Jail) V/s State of Maharashtra

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

Court's or Judge's Order

Mr R.M.Daga, counsel for applicant.

Mr A.M.Kadukar, APP for non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 17/07/2023.

1. Heard.
2. The present application is for grant of bail under Section 439 of the Code of Criminal Procedure, 1973 in connection with Crime No. 479/2018 registered with Police Station Chandrapur (City), Chandrapur for the offences punishable under Sections 4,8,12 of the Protection of Children from of Sexual Offences Act, (POCSO) and under Sections 3, 4, 5, 6, 7 and 9 of the Prevention of Immoral Trafficking Act.
3. The earlier bail application of the present applicant was rejected by this Court by observing the gravity of the offence. After hearing learned counsel for the applicant to some extent, the Court is not inclined to grant bail.

4. Learned counsel for the applicant seeks permission to withdraw the present application with liberty to file a fresh before the learned Trial Court in view of the observation of the Hon'ble Apex Court in the case of *Satender Kumar Antil V/s Central Bureau of Investigation and others reported in (2022) 10 SCC 51*.

5. Learned trial Court shall reconsider the aspect of separating the trial of the present applicant, as the other co-accused absconding and the applicant is in jail for more than three years.

6. Liberty is granted to the present applicant to move before the learned trial Court, in view of the observation in the case of *Satender Kumar Antil* referred (supra).

JUDGE