



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

CRIMINAL APPLICATION (BA) NO. 1069 OF 2023

Ranjit S/o Kisan Parve

..VS..

The State of Maharashtra through DGP Buldhana, PSO Andhera & another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Vijaykumar Paliwal, Advocate for applicant.
Ms. M.A. Barabde, APP for respondent No.1/State.
Ms. C.S. Bhute, Advocate(appointed) for respondent No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : DECEMBER 14, 2023

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No. 144/2016, registered under Sections 363, 366, 366-A 376(j) of the Indian Penal Code and Section 3 and 4 of the Protection of Children from Sexual Offence Act, 2012.

3. Initially, the applicant was arrested on 14.06.2016 thereafter, he was released on bail on 02.07.2016. The bail was granted to the present applicant on condition that he shall not directly or indirectly make any inducement and promise to any persons who are acquainted with the facts of the case. The allegations against the present applicant is that on 03.06.2016, when the informant was woke up, he saw the victim girl is missing, thereafter victim girl was searched and found along with the present applicant. From the statement of the victim, it revealed that present applicant subjected her for sexual assault and victim stayed along with him

at many places. By considering the fact that there was a love affair and victim herself has joined the company, he spheres for bail was considered, but since 2016 he has not attended the Court therefore, non-bailable warrant was issued and it was executed and the applicant was arrested. The bail application was filed before the trial Court. The trial Court has considered these aspects and observed that accused remained absent since 19.03.2018, he was produced under execution of non-bailable warrant on 17.10.2023 and due to the absence of the accused, the trial is held up and prolonged unnecessarily for considerable period of years together, the applicant has jumped the bail condition and rejected the bail application.

4. I do not find any illegality in the order passed by the trial Court. It is apparent from the record that since 2018, the applicant has not attended the Court and trial was held up due to his absence. No ground is made out to release him on bail, the application deserves to be rejected.

5. Accordingly, the Criminal Application is rejected. The trial is expedited.

6. Fees of the learned Counsel appointed for respondent No.2 be quantified as per rules.

(URMILA JOSHI-PHALKE, J.)