

Anand

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

BAIL APPLICATION NO. 2398 OF 2023

Sonali Kisan Kamble

.Applicant

Vs.

The State of Maharashtra & anr.

.Respondents

Mr. V. R., Garde, Advocate, for the Applicant

Ms. M. H. Mhatre, APP, for Respondent No. 1 – State

Mr. Nitesh Pote, PSI, Gadhinglaj Police Station, Kolhapur present

CORAM : MADHAV J. JAMDAR, J.

DATE : 08.01.2024

P. C.

1. Heard Mr. Garde, learned counsel appearing for the Applicant and Ms. Mhatre, learned APP appearing for Respondent No. 1 – State.

2. This is regular Bail Application filed under Section 439 of the Code of Criminal Procedure, 1973 by the Applicant who is accused No. 1.

3. The relevant details are as under :-

1	C. R. NO.	103 of 2023
2	Date of Registration of F.I.R.	01.04.2023
3	Police Station	Gadhinglaj Police Station, Kolhapur

4	Sections Applied	363, 376D, 376(2)(j), 504 r/w. 34 of the Indian Penal Code, under Sections 4, 6 of the Protection of Children from Sexual Offences Act, 2012 and under Sections 4 & 5 of the Immoral Traffic (Prevention) Act, 1956
5	Date of Incident	09.12.2022
6	Date of Arrest	02.04.2023
7	Date of filing of Charge sheet	17.05.2023

4. As per the prosecution case, the main allegation is against an unknown person. No allegation of main role against the Applicant. The Applicant is behind bar since 02.04.2023.

5. Charge-sheet is filed on 17.05.2023. There are total 21 witnesses to be examined by the prosecution. The trial is unlikely to conclude any time soon and is likely to take a considerably long time.

6. The present Applicant does not have any criminal antecedents.

7. The Applicant does not appear to be a flight risk.

8. Accordingly, the Applicant can be enlarged on bail by imposing conditions. Hence, the following order :-

O R D E R

(i) The Applicant - Ms. Sonali Kisan Kamble in connection with C. R. No. 103 of 2023 registered with the Gadhinglaj Police Station, Kolhapur shall be released on bail on her furnishing P. R. Bond in the sum of Rs. 25,000/- with one or two solvent sureties in the like amount;

(ii) On being released on bail, the Applicant shall furnish her contact/cell phone number and residential address to the Investigating Officer and shall keep him/her updated, in case there is any change;

(iii) The Applicant shall report to the Gadhinglaj Police Station, Kolhapur once every week, on every Sunday between 11.00 a. m. and 1.00 p. m. till the conclusion of trial;

(iv) The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing the facts to Court or any Police Officer;

(v) The Applicant shall not tamper with evidence and shall not contact or influence the Complainant or any witnesses in the matter;

(vi) The Applicant shall attend the trial regularly. The Applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments;

(vii) The Applicant shall surrender her passport, if any, to the Investigating Officer.

9. The Bail Application is disposed of.

(MADHAV J. JAMDAR, J.)