

Arjun

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

CRIMINAL BAIL APPLICATION NO.1525 OF 2024

Rajendra Maharu Patil

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

 Mr. Amit Icham, for the Applicant.

 Ms. Savita M. Yadav, APP, for the Respondent-State.

CORAM : MADHAV J. JAMDAR, J.

DATED : APRIL 18, 2024

P.C.:

1. Heard Mr. Amit Icham, learned Counsel for the Applicant and Ms. Yadav, learned APP for the Respondent-State.

2. This regular Bail Application is preferred under Section 439 of the *Code of Criminal Procedure, 1973* (“**CrPC**”). The relevant details are as follows:-

1	C. R. No.	1758 of 2023
2	Date of registration of F.I.R.	17/11/2023
3	Name of Police Station	Hadapsar, District-Pune
4	Section/s invoked	354, 354-A, 354-D & 506 of the <i>I.P.C., 1860</i> ; 8, 10 & 12 of the <i>POCSO Act, 2012</i> .
5	Date of incident	14/11/2023

6	Date of arrest	17/11/2023
7	Date of filing Charge-sheet	-

3. As per the prosecution case, the victim is aged 7 years. The Applicant is an Auto-Rickshaw driver and he had sexually assaulted the victim. The statement under Section 164 of the CrPC supports the prosecution case. The F.I.R. was lodged by the mother of the victim who is working as a Head Mistress of the Army Public School, Race Course, Ghorpadi. As the offence is very serious, no case is made out for grant of bail.

4. However, it is to be noted that the victim is only 7 years old. There are only 13 witnesses as per the Charge-sheet. Ms. Yadav, learned APP states that in fact 7 to 8 witnesses will be material and will be examined at the trial. She further states that the Respondent-State will take effective steps to conclude the trial expeditiously.

5. In view of the facts and circumstances of this case, no case is made out for granting bail. However, the learned Trial Court is requested to conclude the trial expeditiously within a period of eight months as the victim is aged only 7 years.

6. Accordingly, the Bail Application is rejected.

7. At this stage, learned Counsel for the Applicant seeks withdrawal of the Bail Application. He states that liberty be granted to move the Application after a period of six months. As I have directed the learned

Trial Court to conclude the trial expeditiously and in any event within a period of eight months, liberty is granted to the Applicant to file a fresh Bail Application after a period of eight months.

[MADHAV J. JAMDAR, J.]