



Diksha Rane

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

BAIL APPLICATION NO.2197/2023

RANJEET SARVJEET YADAV

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. R. S. Tripathi a/w. Adv. Jay Yadav for the applicant.
Mr. A. R. Patil, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 18, 2024.

P.C. :

1. Heard learned counsel for the applicant.
2. Learned APP for the State opposed the application for bail.
3. This is an application for bail by the applicant in connection with the First Information Report (FIR) No.88/2021 registered on 23/1/2021 with Manpada Police Station, Thane City, for the offence punishable under Sections 376, 376(2)(n), 376-D, 323, 506 of the Indian Penal Code (hereafter 'IPC' for short).
4. The main accused are the accused nos.1 and 2. I have gone through the statement of the prosecutrix dated

23/2/2021. From the statement, it is seen that she was befriended by the accused no.1 Tejas which led to physical relationship. Thereafter, it is alleged that the accused no.1 forced her to enter into sexual physical relationship with the accused no.2.

5. So far as the present applicant is concerned, it is alleged that the prosecutrix had accompanied the accused no.1 to the flat which belongs to the present applicant who is the accused no.4 and that the aforesaid offence was also committed by the present applicant.

6. The accusations are mainly against the accused nos.1 and 2. In the facts and circumstances of the present case, though the involvement of the present applicant is also stated by the prosecutrix, considering that the applicant is in custody since 25/2/2021 and now is in custody from more than two years and eleven months and even the charge has not been framed, I am inclined to enlarge the applicant on bail. The trial will take a long time to conclude. It is also pertinent to note that on an earlier occasion the applicant had filed Criminal Bail Application No.4260/2021 when this Court by an order dated 28/11/2022 permitted the applicant

to withdraw the application with liberty to file a fresh application after six months. There is no progress in the trial.

7. Learned counsel for the applicant submitted that there are no criminal antecedents reported against the applicant. The investigation is complete. The charge-sheet has been filed. In my opinion, the applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

- (a) The application is allowed.
- (b) The applicant- Ranjeet Sarvjeet Yadav in connection with C.R. No. No.88/2021 registered with Manpada Police Station, Thane City, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.
- (c) 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 from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(d) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(e) Except for attending the trial, the applicant shall not enter the Thane District after being released on bail, for a period of one year. Thereafter, he may apply to the trial Court for modification of this condition.

(f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(g) The applicant shall surrender his passport, if any, to the investigating officer.

8. The application is disposed of.

(M. S. KARNIK, J.)