



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1390 OF 2024

Gorakh Baburao Mhatre

...Applicant

vs.

The State of Maharashtra and Anr.

...Respondents

Sana Shaikh a/w Maya Updeshe, Pratik Thadani, Kulsum Shah, Sayed Firoz	Advocate for the Applicant
Adv. Swapnil Ovalekar	Advocate for the Respondent No. 2- Complainant
Mr. A. S. Gawai	APP for Respondent-State

CORAM : S. M. MODAK, J.

DATE : 10th JULY 2024

P. C. :-

1. Heard learned Advocate for the Applicant and learned APP and learned Advocate for the first informant.
2. It is true that this Court was not inclined to grant bail on merits that is why Bail Application No. 1754 of 2023 was withdrawn on 11/08/2023. The liberty was granted to move after six months, if charge is not framed. Relevant copies of the roznama are annexed from

page no. 184 onwards. The last roznama is of 04/03/2024. It does not mention about framing of the charge. It mentions about filing of the fresh bail application. Earlier to that one discharge application was filed on 02/04/2024. Copy of the roznama is produced. It was filed after expiry of six months. This has not laid to delay in trial.

3. For six months after order passed by this Court once the liberty is granted and charge is not framed, then the Applicant is entitled for bail. Hence, the Order:

ORDER

(i) Bail application is allowed.

(ii) Applicant-Gorakh Baburao Mhatre arrested in connection with C.R. No. 220 of 2021 registered with Koparkhairane Police Station for the offence punishable under Section 376-D, 376 (2)(i), 376(2)(n), 366 (a), 341 of the Indian Penal Code alongwith Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, be released on bail on furnishing Personal Bond and Surety bond in sum of Rs. 25,000/-.

(iii) Applicant is directed to give attendance to Koparkhairane Police Station on first Monday of every month from 10.00 a.m. to

12.00 noon till completion of the trial.

(iv) Applicant shall not threaten the prosecution witness.

(v) Needless to say, violating of the condition above will make the Applicant liable for cancellation of bail after notice.

4. Application is disposed of in the aforesaid terms.

5. All the parties to act on an authenticated copy of this order.

6. Learned appointed advocate be paid fees as per the Rules.

[S. M. MODAK, J.]