

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

CRIMINAL BAIL APPLICATION NO. 3113 OF 2024

Ali Javed Khan ...Applicant
Versus
The State of Maharashtra & Anr. ...Respondents

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Mr. Akshay Jadhavar, Advocate for the Applicant.
Mr. Shreeram Chaudhari, APP for the Respondent – State.
Mr. Mohsin Pathan, API, Kondhawa Police Station, Pune.

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CORAM : ANIL S. KILOR, J.
DATE : 18 SEPTEMBER, 2024.

P.C.:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure, the Applicant is seeking bail in Crime No.589 of 2023, registered with Kondhawa Police Station, District: Pune for the offences punishable under Sections 354, 354-B, 323, 506 of Indian Penal Code (for short 'IPC') and Section 12 of Protection of Children from Sexual Offences, 2012 (for short 'POCSO Act').
3. The Applicant was granted bail by the Sessions Court and since on failure of Applicant to furnish solvent surety and also to attend the trial, non-bailable warrant was issued and on application of grant of bail, it was rejected.

4. Learned counsel for the Applicant submits that due to ill health of his father, default was committed in attending the trial. He further submits that if one opportunity is granted, the Applicant would comply the conditions strictly.

5. In the above referred backdrops, I am of the opinion thus the Applicant shall get one opportunity. Accordingly, I pass the following order.

ORDER

- i. Criminal Bail Application No.3113 of 2024 is allowed;
- ii. It is directed that the Applicant shall be released on bail in Crime No.589 of 2023, registered with Kondhawa Police Station, District: Pune for the offences punishable under Sections 354, 354-B, 323, 506 of IPC and Section 12 of POCSO Act, on furnishing P.R. Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- iii. The Applicant shall attend the Police Station on 1st and 16th day of each month between 10:00 am to 12:00 noon till 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, as also not tamper with the evidence;

- v. Liberty is granted to the State for cancellation of bail if the Applicant commits similar offence;
- vii. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.
- viii. Application stands disposed off, accordingly.

(ANIL S. KILOR, J.)