

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

INTERIM APPLICATION NO. 4798 OF 2024

IN

CRIMINAL BAIL APPLICATION NO. 3930 OF 2024

Shakil Alias Guddu Shaikh

...Applicant

Vs.

The State of Maharashtra and Others

...Respondents

Mr Sanjiv Bhojwani with Naresh Parihar, Advocate for Applicant.

Ms. Gauri Rao, APP for State-Respondent.

Mr. Mainak Adhikary, for respondent no. 2.

API, Santosh Shinde, Vimantal Police Station, Pune City, Present.

CORAM:- ANIL S. KILOR, J.

DATED:- 22nd NOVEMBER, 2024

PC:-

1) Heard.

2) By this application the applicant is seeking temporary bail to attend the marriage ceremony of his sister, which has been strongly opposed the learned APP as well as the learned Counsel for the victim.

3) The ceremonies have already started from today and it will continue till 27th November, 2024. The date of actual marriage on 25th November, 2024.

- 4) The learned Counsel for the applicant seeks temporary bail from today till 28th November, 2024 morning to attend his sister's marriage and all the ceremonies including marriage reception, which is scheduled on 27th November, 2024.
- 5) The learned APP while strongly opposing the application has pointed out that the offence is heinous and there is every possibility that the applicant may abscond and will not be available for trial if he is released on temporary bail. She further pointed out that the applicant and the victim are resident of same locality, which fact has been disputed by the learned Counsel for the applicant by pointing out that the earlier the victim used to stay in the same locality, however after this incident the victim and her family shifted to Laxminagar, which is at a distance of about 8 km from the address of the applicant.
- 6) In the above referred backdrop, considering the fact that the applicant is seeking temporary bail to attend the marriage of his real sister, I am of the opinion that he should be granted bail for the period from marriage of 24th November, 2024 till the evening of 26th November, 2024.
- 7) In the circumstances, I pass the following order.

ORDER

- (i) The Interim Application is allowed;
- (ii) It is directed that both the applicants be released on temporary bail from temporary Bail on 24th November, 2024 before 12.00 noon, in Crime No. 132 of 2024, registered with Vimantal Police Station, Pune for the offences punishable under Sections 376, 376 (3), 377 and 506 of the Indian Penal Code, 1860 and Sections 4, 6 and 12 of the Protection of Children from

Sexual Offences Act, 2012, on furnishing cash security of Rupees Twenty Five Thousand.

(iii) The applicant is directed to surrender before Jail Authorities on 26th November, 2024 before 5.00 pm.

(iv) During the period of temporary bail, the applicant shall attend the Police Station on 24th November, 2024 in the evening between 6.00 pm to 7.00 pm and twice of 25th November, 2024 in the morning between 9.00 am to 10.00 am and in the evening between 4.00 pm to 5.00 pm.

(v) The applicant shall not try to establish any direct or indirect contact with the victim during the period of temporary bail or he shall not misuse the liberty.

The Interim Application is disposed of .

[ANIL S. KILOR, J.]