

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1081 OF 2024

Shahid Raza Asgarali Khan

.. Applicant

Versus

The State of Maharashtra and Anr.

.. Respondents

.....

- Mr. Khwaja Shaikh, Advocate for Applicant.
- Mr. Hitendra J. Dedhia, APP for Respondent No.1.
- Mr. Ujjwal Gandhi, Advocate for Respondent No.2.

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 07, 2025

P.C.:

1. Heard Mr. Shaikh, learned Advocate for Applicant; Mr. Dedhia, learned APP for Respondent No.1 and Mr. Gandhi, learned Advocate for Respondent No.2.

2. Registry is directed to accept the Vakalatnama from Advocate for Respondent No.2. Applicant is indicted under provisions of Indian Penal Code, 1860 (for short '**IPC**') and Protection of Children from Sexual Offences Act, 2012 (for short '**POCSO Act**').

3. According to Applicant he has already undergone incarceration for more than 2 years. He would submit that at the highest for offence under Section 354 the punishment that would entail is maximum of five years. In so far issue of offence under POCSO Act is concerned, Applicant has a good case on merits and the

said Application is false.

4. Learned Advocate appearing to espouse cause of Respondent No.2 would submit that Applicant has preferred a default bail Application before Trial Court which has been listed for hearing. He is directed to place a copy of the same to enable this Court to consider the same.

5. Learned Advocate for Applicant shall take instructions since he has no instructions.

6. Stand over to **23rd April, 2025.** To be placed under the caption '**For Directions**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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