

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2569 OF 2024

Chandar D. Gangode
V/s. ...Applicant
State of Maharashtra & Anr. ...Respondents.

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Mr. Chandrakant S. Shirsat for the Applicant.
Mr. V.A. Kulkarni, APP for the Respondent/State.
Mr. Gaurav P. Yadav, Appointed Advocate for the
Respondent/Victims.

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CORAM : N.R. BORKAR, J.
DATE : 22.01.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 51 of 2022 registered at Surgana Police Station, Dist. Nashik for the offences punishable under Section 376(2)(I)(N) of the Indian Penal Code (IPC) and Sections 4, 8 and 12 of the Protection of Children from Sexual Offence Act (POCSO Act).
3. The allegations against the present applicant are of forcible sexual intercourse with two minor victims.
4. I have heard the learned counsel for the applicant, the learned APP for the respondent - State and learned counsel for the victims.

5. Learned counsel for the applicant submits that there is delay in lodging the first information report. It is submitted that there is non-compliance of Section 50 of Code of Criminal Procedure. It is further submitted that the applicant is in jail for more than two years and the trial has not yet commenced. It is thus submitted that the applicant be released on bail.

6. On the other hand, the learned APP for the respondent/ State and the learned counsel for the victims submit that on the date of alleged incident the victims were aged about 14 years and 16 years old. It is submitted that considering the nature of offence, the applicant may not be released on bail.

7. I have perused the statement of the victims. Under threat they were repeatedly subjected to sexual intercourse. In that view of the matter, I am not inclined to release the present applicant on bail. Hence, the Application is rejected.

[N.R.BORKAR, J.]