

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

CRIMINAL BAIL APPLICATION NO. 3449 OF 2024

Rajendra Baban More

...Applicant

VERSUS

The State of Maharashtra and Anr.

...Respondents

....

Mr. Satyavrat Joshi a/w Mr. Yash Fadtare, Mr. Ashish Kachole,
Ms. Reena Prajapati, Mr. Priyesh More & Mr. Aryan Lokhande,
Advocate for the Applicant.

Mr. C. D. Mali, A.P.P. for the Respondent – State.

Mr. Pintu S. Singh, Advocate for Respondent No.2.

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CORAM : N. R. BORKAR, J.
DATE : 07.03.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 474 of 2018 registered at Jejuri Police Station, Dist-Pune for the offences punishable under Sections 376(i)(n) & 506 of the Indian Penal Code, Sections 4, 6, 8, 10 & 12 of the Protection of Children from Sexual Offences Act and Sections 3(1), (3), (i), (ii), 3(2)(v)(a) of the SC and ST Act.
3. According to the prosecution, the victim who belongs to scheduled caste, was repeatedly subjected to forcible sexual intercourse.

4. I have heard the learned counsel for the applicant, the learned APP for the respondent/State and the learned counsel for the Respondent No.2.

5. The bail is sought on the ground of long incarceration as under-trial prisoner. The learned counsel for the applicant submits that the applicant is in jail for more than six years. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned APP for the respondent/State and the learned counsel for the Respondent No.2 submits that the trial has already commenced and therefore the present application may not be entertained at this stage.

7. The applicant is in jail for six years and the trial is at very initial stage as the trial Court has recorded the evidence of only one witness. I am therefore inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 474 of 2018 registered at Jejuri Police Station, Dist-Pune for the offences punishable under Sections 376(i)(n) & 506 of the Indian Penal Code, Sections 4, 6, 8, 10 & 12 of the Protection of Children from Sexual Offences Act and Sections 3(1), (3), (i), (ii), 3(2)(v)(a) of the SC and ST Act, on

furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

D] The applicant shall not tamper with the prosecution evidence/witnesses.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)