

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

CRIMINAL BAIL APPLICATION NO. 3771 OF 2024

Yuvraj Prakash Godase. ... Applicant.

Vs.

The State of Maharashtra & Anr. ... Respondents.

Mr. Shirish Gupte, Sr. Advocate, a/w. Mr. Bhalchandra Mote, Mr. Prithviraj Kolhatkar, Advocate for the Applicant.

Mr. Ghanasham Jadhav, Advocate for Respondent No. 2.

Mr. T.G. Khan, APP for Respondent No.1/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th JUNE, 2025

P.C. :

1. Heard Mr. Shirish Gupte, Senior Advocate for the Applicant, Mr. T.J. Khan, learned APP and Mr. Ghansham Jadhav, learned Advocate for the Respondent No. 2.

2. The Hon'ble Division Bench of this Court on 10th January, 2023 had made the following order :

“1. After hearing learned Senior Advocate for the Appellant at length, when this Court was not inclined to grant relief of bail, learned Senior Advocate, on instructions, seeks leave to withdraw the present Appeal with liberty to file a fresh application for bail before the trial Court if, the trial arising out of Special (POCSO & Atro.) Case No.93 of 2021 does not

conclude within a period of one year from today.

2. It is submitted that, the Appellant is in Jail from 1st November 2021. Taking into consideration the fact that, the Appellant is in jail since 1st November 2021, we expect that, the mandate of the POCSO Act in conducting trial will be adhered to by the learned trial Court.

3. Appeal is dismissed in the aforesaid terms.”

3. Mr. Gupte, learned Senior Advocate for the Applicant states that there is no much progress in the matter before the trial Court, after the order dated 10.01.2023.

4. Mr. Khan, learned APP for State and Mr. Ghansham Jadhav, learned Advocate for Respondent No. 2 state that the progress before the trial Court was delayed for the reasons attributable to the Accused in the said crime. Mr. Khan, learned APP and Mr. Ghansham Jadhav, learned Advocate for Respondent No. 2 state that the matter before the learned trial Court is now fixed on 24th June, 2025. Mr. Ghanshyam Jadhav, learned Advocate for Respondent No. 2 on instructions from the Respondent No. 2 states that the victim would be made available before the learned Trial Court on 24th June, 2025 for examination. Statement accepted.

5. Mr. Gupte, learned Senior Advocate for the Applicant states that the Advocate for the Applicant shall cross-examine the said witness (victim) on the said date.

6. Considering the observations made by the Hon'ble Division Bench on 10th January, 2023 in Criminal Appeal No. 754 of 2022, the learned Trial Court is requested to ensure the examination of the victim on the date fixed in the matter i.e. on 24th June, 2025. In the event the examination of the victim is not completed on the 24th June, 2025, then the learned Trial Court to consider listing the matter at its earliest convenience so as to ensure completion of examination of the victim.

7. Parties to the proceedings shall cooperate for the early completion of examination and cross-examination of the witness (victim).

8. At the joint request of the parties, list this Application on 17th July, 2025.

(ASHWIN D. BHOBE, J.)