

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3900 OF 2024

Prakash Dadaro Suryavanshi

.. Applicant

Versus

The State of Maharashtra & Anr.

.. Respondents

.....

- Mr. Vishal Hegde, a/w Ms. Aishwarya Jose, S.V. Rao, Ms. Anuja Apte, Mr. Parth Lalai & Mr. Shubanand Leemai i/by Samudra Legal for Applicant
- Mr. Balraj B. Kulkarni, APP for Respondent No. 1 - State
- Mr. Ishrat Ali Khan a/w Ms. Tarannum A. for Respondent No. 2

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 15, 2025

P. C.:

1. Heard Mr. Hegde, learned Advocate for Applicant; Mr. Kulkarni, learned APP for Respondent No. 1 - State & Mr. Khan, learned Advocate for Respondent No. 2.

2. Applicant stands indicted for the offences punishable under IPC & POCSO Act. He is arrested on 11.03.2022 and as on today he has been in incarceration for 3 years 1 month & 5 days.

3. The statement of the first informant is appended at page No. 34 of the Applicant. First informant is the mother of the victim. Victim is a 3 year old girl.

4. Mr. Hegde would submit that Applicant and the first informant were in live-in-relationship since long time and during and at the time

of the incident also. He would submit that present FIR lodged by the first informant is false and it is an attempt to frame the Applicant. However, on the flip side, Mr. Khan would submit that if the Court reads the statement of the first informant, it would inspire confidence of the Court in what she has stated therein. On a question being put to both the learned Advocates in respect of medical examination of the victim, *prima facie*, they would submit that it is inconclusive. Prosecution has also recorded statements of other witnesses.

5. Learned APP is directed by the Court to ascertain veracity of the submissions made by Mr. Hegde and Mr. Khan and accordingly apprise the Court about the same considering the facts emanating from the record of the present case. In view of the submissions made by Mr. Hegde and Mr. Khan, an endeavour shall be made to decide the present Application on the next adjourned date.

6. Stand over to **22nd April, 2025**. To be placed "**First on Board**".

[MILIND N. JADHAV, J.]

Amberkar

Digitally signed
by RAVINDRA
MOHAN
AMBERKAR
Date:
2025.04.16
14:09:03 +0530