

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3913 OF 2024

Rajkumar Dharmanand Yadav

.. Applicant

Versus

The State of Maharashtra and Anr.

.. Respondents

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- Mr. A. R. Bukhari, Advocate for Applicant.
- Mr. Balraj B. Kulkarni, APP for Respondent No.1 – the State of Maharashtra.
- Mr. Tushar Kochale a/w. Ms. Revati Alhat, Advocates for Respondent No.2.
- PSI – Pravin T. Khandare, Central Police Station.

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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 13, 2025

P.C.:

1. Heard Mr. Bukhari, learned Advocate for Applicant; Mr. Kulkarni, learned APP for Respondent No.1 – the State of Maharashtra and Mr. Kochale, learned Advocate for Respondent No.2.

2. This is an Application under Section 439 of Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') seeking Bail in connection with First Information Report No.351 of 2018 registered with Central Police Station, Ulhasnagar for offences punishable under Sections 376(2)(i) of the Indian Penal Code, 1860 read with Sections 4 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO') and Sections 3(2)(W)(i) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015.

3. Mr. Kulkarni, learned APP would persuade the Court consider hearing parties post 20.02.2025 which is date of framing of charge before Trial Court. That is one of the principal ground on which Mr. Kulkarni, learned APP has attempted to argue the matter against Applicant's case for grant of bail.

4. Equally, Mr. Kochale had persuaded the Court and taken the Court through the facts of the case and has made a point that there is every likelihood that if Applicant is released on bail, he may not be available for trial as he has no roots from Mumbai.

5. Be that as it may considering the long incarceration and since charge is not framed, I am inclined to take up this matter for hearing which shall be noted by the parties.

6. Stand over to **26th February, 2025 at 02:30 p.m.**

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

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by HARSHADA
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Date: 2025.02.13
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