

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3964 OF 2024**

Pratap Apparao Shinde

...Applicant

Versus

The State of Maharashtra & Anr.

...Respondents

Mr. Kamran Shaikh a/w Arpit Mishra, for the Applicant.

Ms. S. G. Talhar, APP for the Respondent-State.

Ms. Saba Shaikh, for the Respondent No.2.

Mr. A. G. Pawar, A.P.I., Wakad Police Station, Pimpri Chinchwad.

CORAM: MADHAV J. JAMDAR, J.

DATED: 25th APRIL 2025

P.C.:

1. This is a second Bail Application. The first Criminal Bail Application bearing Bail Application No.1028 of 2024 is allowed to be withdrawn by Order dated 19th March 2024. In the said order, statement made on behalf of the State of Maharashtra is recorded that steps would be taken to conclude the trial within a period of 6 months. Accordingly, liberty was granted to file a fresh Bail Application after a period of 6 months if there is no substantial progress in the trial. Pursuant to the said liberty the present Criminal Bail Application is filed. However, learned APP states that only one witness i.e. Investigating Officer has remained to be examined.

2. Although the Applicant is arrested on 18th February 2019 and has completed more than 6 years in jail however, as the offence is very serious under Section 376(AB) and 506 of *Indian Penal Code, 1860*

(“**IPC**”), under Sections 3, 4, 5(m)(n), 6, 8, 9(m)(n) and 10 of *Protection of Children from Sexual Offences Act, 2012* (“**POCSO**” Act) and as the age of the victim was 9½ years when the offence took place, as the Court expressed disinclination to grant Bail, Mr. Kamran Shaikh, learned Counsel appearing for the Applicant, on instructions of the Applicant, seeks withdrawal of the Bail Application. Accordingly, the Bail Application is allowed to be withdrawn and dismissed as such.

3. However, it is required to be noted that the Applicant is incarcerated since 18th February 2019. Accordingly, in the facts and circumstances of this case the learned Sessions Court is requested to conclude the trial by passing final judgment on or before 30th June 2025. If the trial is not concluded and judgment is not delivered on or before 30st June 2025, liberty is granted to the Applicant to file fresh Bail Application.

[MADHAV J. JAMDAR, J.]