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

CRIMINAL BAIL APPLICATION NO. 4044 OF 2024

Joseph James Xavier

.. Applicant

Versus

The State of Maharashtra and Anr.

.. Respondents

-
- Mr. Arjun Sethi, Advocate i/by Ms. Anjali Patil for Applicant.
 - Ms. Shilpa K. Gajare – Dhumal, APP for Respondent No.1 – State.

.....
CORAM : MILIND N. JADHAV, J.

DATE : MARCH 03, 2025.

P.C.:

- 1.** Mentioned at the time of rising of the Court.
- 2.** Heard Mr. Sethi, learned Advocate for Applicant and Ms. Gajare – Dhumal, learned APP for Respondent No.1 – State.
- 3.** This is an Application under Section 439 of the Criminal Procedure Code, 1973 seeking Regular Bail in connection with C.R.No.300 of 2024 registered with Worli Police Station, Mumbai for the offences punishable under Sections 376 and 506(2) of the Indian Penal Code, 1860.
- 4.** In the present case, Applicant is 50 years old whereas prosecutrix is 25 years old. Considering the above, Applicant is directed to implead Respondent No.2 i.e. victim as Respondent No.2 in the present Application. Necessary amendment is permitted to be carried out forthwith in the presence of the Court. Re-verification

stands dispensed with.

- 5.** Issue notice to Respondent No.2. Humdast permitted.
- 6.** Ms. Gajare – Dhumal, learned APP waives service on behalf of Respondent No.1 – State.
- 7.** Additional copy of the Bail Application shall be filed in the Department by the Advocate for Applicant. In addition thereto, one spare copy of the Application shall be given to the Investigating Officer who is directed by this Court to depute a responsible police officer to inform and serve the Respondent No.2 and take her consent for legal representation, if so required and inform the Court on the next adjourned date.
- 8.** List the Bail Application on Board on **10th March, 2025**. To be listed under the caption '**For Directions**'.

[MILIND N. JADHAV, J.]

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