

Nikita

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

BAIL APPLICATION NO.4419 OF 2024

Govind Ramesh Kakade ... Applicant

V/s.

The State of Maharashtra and Anr. ... Respondents

Mr. Vikas Shivarkar for the Applicant.

Ms. Anamika Malhotra, APP for the State.

Ms. Kanchan Pawar for the Respondent No.2.

Mr. Tukaram Surawase, PSI, Lonikand Police Station.

CORAM : ASHWIN D. BHOBE, J.

DATED : 28th JULY, 2025

P.C.:

1. Heard Mr. Vikas Shivarkar, learned Advocate for the Applicant, Ms. Anamika Malhotra, learned APP for the State and Ms. Kanchan Pawar, learned Advocate for the Respondent No.2.

2. By the present application, Applicant is seeking bail in connection with C.R. No.427 of 2024 registered with Lonikand Police Station, Pune, under Sections 376(2)(n), 354, 506, of IPC and Section 3(c), 4, 5(1), 6, 8, 21(1), 14(2), of the Protection of Children from Sexual Offences Act, 2012. Said crime is registered as Special Case No.814 of 2024 and is pending before the Court of Special Judge under POCSO Act, Pune.

3. After having heard the matter for some time and this Court having expressed its view of not being inclined to entertain the

application, Mr. Vikas Shivarkar, learned Advocate for the Applicant, sought a pass over.

4. After some time, at the request of Mr. Vikas Shivarkar, learned Advocate for the Applicant, matter was taken up. He, on instructions from the Applicant, craves leave to withdraw the application with liberty to file a fresh bail application upon conclusion/ completion of recording of the statement/ oral testimony of the prosecutrix/ victim in Special Case No.814 of 2024, pending on the file of the Court of learned Special Judge under POCSO Act, Pune. Ms. Anamika Malhotra, learned APP and Ms. Kanchan Pawar, learned Advocate for the Respondent No.2 do not object to the recourse suggested by Mr. Vikas Shivarkar.

5. Ms. Anamika Malhotra, learned APP for the State, on instructions submits that the prosecution shall examine and record the statement of the prosecutrix/ victim, as the first prosecution witness in Special Case No.814 of 2024. Statement is accepted.

6. In view of the above, leave granted to the Applicant withdraw the present bail application with liberty to file a fresh bail application before the learned Trial Court, upon conclusion of the oral testimony / recording of the statement of prosecutrix/ victim in Special Case No.814 of 2024.

7. Bail Application No.4419 of 2024 is disposed of as withdrawn in the above said terms.

(ASHWIN D. BHOBE. J.)