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

CRIMINAL BAIL APPLICATION NO. 4943 OF 2024

Deeplal Baiju Rai

.. Applicant

Versus

The State of Maharashtra and Anr.

.. Respondents

-
- Mr. Karan Kadam, Advocate for Applicant.
 - Ms. Savita Yadav, APP for Respondent No.1 – State.
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CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 05, 2025.

P.C.:

- 1.** Mentioned at the time of rising of the Court.
 - 2.** Heard Mr. Kadam, learned Advocate for Applicant and Ms. Yadav, learned APP for Respondent No.1– State.
 - 3.** This is an Application under Section 439 of the Code of Criminal Procedure, 1973 seeking Regular Bail in connection with C.R.No.I-231 of 2021 registered with Bhiwandi Police Station for the offences punishable under Sections 376-AB and 363 of the Indian Penal Code, 1860 (for short ‘**IPC**’) and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short “**POCSO**”).
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- 1.** This is a Bail Application of the Applicant wherein Sections of POCSO are applied. In that view of the matter, Applicant is directed

to implead the victim through her mother who is First Informant as Respondent No.2. Necessary amendment is permitted to be carried out forthwith before the Court. Re-verification stands dispensed with. Amendment is carried out in the Court's presence and endorsed by the Court.

4. Mr. Kadam, learned Advocate for Applicant is directed to serve a copy of the Application to the concerned APP and Investigating Officer forthwith without delay.

5. 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 lady police officer and obtain Respondent No.2's consent for legal representation so that appropriate order can be passed on the next adjourned date for appointment of Legal Aid Advocate to represent and espouse the cause of Respondent No.2.

6. Let the above exercise be carried out within a period of one week from today. Learned APP shall coordinate with the IO concerned and intimate this order to him.

7. List the Bail Application on Board on **12th February 2025**. To be placed under the caption '**First on Board**'.

[MILIND N. JADHAV, J.]

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