

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 419 OF 2025

Farukh Nanku Khan

.. Applicant

Versus

State of Maharashtra & Anr.

.. Respondents

-
- Mr. Imtiyaz Patel for Applicant
 - Mr. S.A. Karmakar, APP for State
-

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 17, 2025

P. C.:

1. Heard Mr. Patel, learned Advocate for Applicant and Mr. Karmakar, learned APP for State.

2. Mr. Patel would persuade me to consider the facts in the present case. He would submit that Applicant was granted bail on 08.01.2018 by the learned Trial Court. However, the Applicant did not adhere to bail conditions due to which he did not remain present on four occasions leading to issuance of non-bailable warrant against the Applicant. Once that order was issued, Applicant immediately surrendered on 31.12.2024. The principal offences are under the provision of IPC and POCSO Act. Mr. Patel would submit that the trial is yet to commence and charge is yet to be framed. He would persuade me to consider the fact that Applicant was released on bail, however due to his own dereliction, he could not attend the

proceedings as he was a driver working in UP and therefore it led to his absence. In that view of the matter, he would persuade the Court to consider his Application for bail.

3. Considering the fact that present Application for bail is for the offences punishable under the provisions of IPC and POCSO Act, Applicant is directed to implead the first informant as Respondent No.3 to the present Application. Amendment to that effect is permitted to be carried out forthwith in presence of the Court. Re-verification stands dispensed with.

4. Copy of the present Application is directed to be served on the concerned Investigating Officer (IO). IO shall depute a responsible lady police officer to serve the copy on Respondent No. 3 and obtain her consent as to whether she requires legal representation and apprise the same through the learned APP on the next adjourned date after which further orders will be passed.

5. Stand over to **24th February, 2025**. To be placed under the caption "**for Direction**".

[MILIND N. JADHAV, J.]

Amberkar

Digitally signed
by RAVINDRA
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