

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1523 OF 2025

Kamalkishor Babulal Arya

.. Applicant

Versus

The State of Maharashtra

.. Respondent

.....

- Mr. Atharva S. Jagtap, Advocate for Applicant appointed through legal aid.
- Ms. Rajeshree V. Newton, APP for Respondent.

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 24, 2025

P.C.:

1. Heard Mr. Jagtap, learned Advocate for Applicant appointed through legal aid and Ms. Newton, learned APP for Respondent.

2. Order dated 17.04.2025 stands complied with. Mr. Jagtap, learned Advocate enters appearance on behalf of Applicant. Application is received through jail. In view of indictment of Applicant in offences under Indian Penal Code, 1860 and Protection of Children from Sexual Offences Act, 2012 (for short '**POCSO Act**'), Mr. Jagtap is directed by this Court forthwith amend the cause title of Application and implead the State Government and prosecutrix – victim through the concerned Police Station as Respondents to the Application. The amendment is permitted to be carried out forthwith in the presence of the Court. Re-verification stands dispensed with. Amendment is carried out in presence of the Court. It is endorsed by the Court also.

3. Ms. Newton, learned APP appears for Respondent No.1 – State of Maharashtra and waives service on behalf of State

4. In view of the above, the concerned Investigating Officer is directed to serve a copy of this order and copy of the Application / charge-sheet on Respondent No.2 through a responsible lady police officer and obtain her consent as to whether she requires legal representation through legal aid. The consent of Respondent No.2 shall be apprised to the Court on the next adjourned date through the learned APP.

5. Let the aforesaid exercise be carried out within a period of one week from today considering the advanced age of Applicant which is 75 years and the ignominy of long incarceration faced by Applicant close to six year, present Application shall be heard on the next adjourned date which shall be noted by the prosecution.

6. Stand over to **02nd May, 2025**. To be placed under the caption '**For Directions**'.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA
HANUMANT
SAWANT

Digitally signed
by HARSHADA
HANUMANT
SAWANT
Date:
2025.04.25
12:08:59 +0530