

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

23 CRIMINAL BAIL APPLICATION NO.. 1742 OF 2025

Rambabu Devanandan Giri @ Sahil ...Applicant
Versus
State Of Maharashtra And Anr ...Respondents

Mr. Hari S. Rajguru, for the Applicant.
Mr. S.S. Gawai, APP for the Respondent-State.
Mr. Sumedh Modak, for the Respondent No.2.

CORAM: R. M. JOSHI, J.
DATED: 08th MAY, 2026.

PC:-

1. The Applicant seeks his release on bail in connection with CR No.830 of 2020 registered with Andheri Police Station, for offence punishable under Sections 376(2), 376(f), 354, 354(a) of the Indian Penal Code, 1860 and Sections 4, 6, 8 and 12 of the the Protection Of Children From Sexual Offences Act, 2012.

2. The Applicant is father of the victim who alleged to have sexually assaulted the victim. The Applicant came to be arrested on 25th September, 2020. On conclusion of investigation, the charge-sheet is filed. The charge came to be framed on 19th December, 2024, however, till date trial has not commenced.

3. Learned counsel for the Applicant submits that the Applicant is in jail for over 5 years and 7 months without trial. It is

his submission that inspite of the fact that prior to one and half year charge is framed, not a single witness has been examined by the prosecution. He therefore seeks bail on the ground of long incarceration.

4. Learned APP and learned counsel for Respondent No.2 apprehends that the Applicant is likely to pressurize the victim if enlarged on bail. In response, counsel for the Applicant, on instructions, makes a statement that the Applicant will not enter the jurisdiction of concerned police station till conclusion of trial.

5. Learned APP and learned counsel for Respondent No.2 oppose the application by citing seriousness of the crime and evidence against the present Applicant. Learned APP however was unable to explain the reason for which the trial has not commenced till date. It is undisputed fact that the Applicant is in jail for over a period of 5 years and 7 months. This is a case of long incarceration without trial. Hence, on this ground alone, the Applicant is enlarged on bail. Hence, following order.

ORDER

- i) The Bail Application is allowed.
- ii) In connection with CR No.830 of 2020 registered with Andheri Police Station, the Applicant be enlarged on bail on furnishing PR Bond of Rs.30,000/- with one or two sureties in the like amount, to the satisfaction of the Trial Court.
- iii) As volunteered, the Applicant shall not enter the jurisdiction of Andheri Police Station till conclusion of the trial.

iv) The Applicant shall not tamper with or interfere with the prosecution evidence in any manner whatsoever.

v) The Applicant shall not contact the victim or any other witness whatsoever.

6. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(R. M. JOSHI, J.)