

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.219 OF 2026

Rajatkumar Jagdish Prasad	...Applicant
<i>Versus</i>	
State of Maharashtra	...Respondent

Mr. Abhiraj Parab a/w Samiksha Malekar and Graham Francis, for the Applicant.

Mr. Aditya Gole, for the Respondent No.2.

Ms. Sangeeta D. Shinde, APP for the Respondent - State.

PSI - C.S. Ghadage, Meghawadi Police Station, present.

CORAM: R. M. JOSHI, J.

DATED: 16TH APRIL, 2026.

PC:-

1. The Applicant seeks his release on bail in connection with CR no.420 of 2025 dated 12th June, 2025 registered with Meghwadi Police Station, District Mumbai, for offence punishable under Sections 78 and 79 of the Bharatiya Nyaya Sanhita, 2023 and Section 12 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

2. The First Informant reported to the police station about the incidents occurred on 10th March, 2025 and 11 March, 2025 on which the Applicant intercepted a nine year old girl and questioned about her school etc. On 11th March, 2025 he called her near to him. Girl was scared. She informed about the same to her father. Father of the girl went to the concerned police station and

lodged the complaint in writing. Report in respect of the same however came to be recorded in June, 2025. After completion of investigation, charge-sheet has been filed.

3. Learned counsel for the Applicant submits that the Applicant is in jail since June, 2025 and though the charge has been framed by the Trial Court, there is no further progress in the trial. It is his submission that the Applicant cannot be kept in jail by way of pretrial sentence. According to him, there is delay in lodging of the FIR which creates doubt about the allegations against the Applicant.

4. Learned APP and learned counsel for the Respondent No.2/victim oppose the application. It is their contention that in a span of two months two different reports came to be lodged against the Applicant. It is their submission that if the Applicant is enlarged on bail, not only that he will pressurize the witnesses but will also repeat similar offence.

5. Even if it is accepted that there is some substance in the contention of the Informant / victim against the Applicant, question arises as to whether the Applicant can be kept in jail by way of pretrial sentence. The charge has been framed by the Trial Court however as informed to this Court over past nine dates there is no progress in the trial. Considering the said fact, this Court finds no possibility of completion of trial within a reasonable period of time. Pertinently the Applicant is on bail in the other crime.

6. Hence, by imposing appropriate conditions applications deserves to be allowed. Hence, following order.

ORDER

- i) The Bail Application is allowed.
- ii) In connection with CR no.420 of 2025 dated 12th June, 2025 registered with Meghwadi Police Station, District Mumbai, the Applicant be enlarged on bail on furnishing PR Bond of Rs.15,000/- with one surety in the like amount, to the satisfaction of the Trial Court.
- iii) The Applicant shall not tamper with or interfere with the prosecution evidence in any manner whatsoever.
- iv) The Applicant shall attend all dates of hearing before the Trial Court unless exempted.
- v) The Applicant shall not contact the victim in any manner whatsoever.
- vi) The Applicant shall not enter the jurisdiction of Meghwadi Police Station till conclusion of the trial.
- vii) The Applicant is directed to attend Sakinaka Police Station, once in fifteen days till evidence of the victim is recorded.

7. 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.)