

MHRG170015932020



**IN THE COURT OF SPECIAL JUDGE  
AT PANVEL, DISTRICT- RAIGAD**

SPECIAL CASE NO.315/2020

The State of Maharashtra

--- Prosecution

Vs.

Iqbal Ahmad Abdul Rahim

--- Accused

**Corum** - Santosh C. Shinde

**Date** - 3<sup>rd</sup> July 2025

**Appearance-**

Ld. advocate Mr. Mahesh Gunjal for applicant.

Ld. Addl. P. P - Absent.

**Order Below Exh.41**

1. This application is filed by accused for releasing him on bail.
2. Say of State of Maharashtra was called upon. Even after sufficient opportunity say is not filed therefore, application is proceeded without say.
3. Heard Ld. advocate Mr. Mahesh Gunjal for accused. Ld. Additional P. P for the State is absent.

4. Ld. Advocate for accused submitted that accused was arrested in the year 2018 and since then, he is behind bars. Prosecution has examined two witness and thereafter, no steps are taken by the prosecution for examination of witnesses. Even if the evidence of witnesses is considered then also there is no case against the accused. Accused is behind bars for more than 6 years and there is no progress in the trial.
5. Perused charge-sheet & record.
6. FIR shows that on 4<sup>th</sup> September 2018 at about 1:00 pm when daughter of informant had gone in the grocery shop of accused, accused committed forcible sexual intercourse with her. This incident was later on narrated by victim to informant and thereafter, FIR is registered.
7. After investigation, charge-sheet is filed for against accused for offences punishable u/s.376(2)(i)(n), 376(a)(b) & u/s 6, 8, 10 r/w 6, 7 & 9 of the Protection Of Children From Sexual Offences Act, 2012. Records shows that PW No.1 & 2 were examined by prosecution in the month of October 2024 and thereafter, no witness is produced by prosecution.
8. In present case, accused was arrested on 5<sup>th</sup> September 2018 and since then, he is behind bars. He is aged person and suffering heath issues. Even after oral directions, prosecution has failed to produce witnesses and there is no progress in the trial.

9. If speed of prosecution about examination of witnesses is considered then it will definitely take more time to complete the trial. Accused is behind bars more than 6 years. If these facts are considered then, I am of the opinion that accused had made out case for granting bail. As a result, I pass following order.

### **ORDER**

1. Application is allowed.
2. Accused Iqbal Ahmad Abdul Rahim be released on bail on furnishing P.B. & S.B. of Rs.15,000/- (Rupees Fifteen Thousand) with one or two sureties in like amount in crime No.222/2018 registered at Taloja Police Station, Navi Mumbai for offences punishable u/s.376(2)(i)(n), 376(a) (b) & u/s 6, 8, 10 r/w 6, 7 & 9 of the Protection Of Children From Sexual Offences Act, 2012, if he is not required in any other offence.
3. Accused shall attend the trial regularly.
4. Accused shall not leave India without previous permission of the Court.
5. Accused shall not directly & indirectly make any inducement, threat or promise to any person acquainted with facts and circumstances of the case so as to dissuade him from disclosing such facts from the police & the Court.

6. Accused shall furnish his temporary & permanent residential proof, valid E-mail ID and mobile number.
7. Registry is directed to inform accused about this order on e-mail.

(Application is disposed of accordingly)

Sd/-

Panvel  
Date - 03/07/2025

(S. C. Shinde)  
Special Judge, Panvel  
Dist. Raigad