

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.684 of 2015

Anil s/o Bhavrao Kakde.

.. Applicant.

Versus

The State of Maharashtra
And Another.

.. Respondents.

Shri. Satish A. Gaikwad, Advocate, for applicant.

Shri. R.P. Phatke, Additional Public Prosecutor, for
respondents.

CORAM: T.V. NALAWADE, J.

DATE : 24th FEBRUARY 2015

ORDER:

1) The application is filed for relief of bail. Both the sides are heard. This Court has perused papers of investigation.

2) Crime is registered on the basis of report given by one girl who is studying in 11th Standard. She has made allegation that when she used to go her school from Sarangpur to Ambad, the present applicant used to follow her. He was following her for about 1 and half years. He was following her on his motor cycle. He used to blow

whistle at her. He used to say that he was in love with her and he was insisting her to sit on his motor cycle and used to give threats of life if disclosure of these incidents was made to anybody. He used to make gestures at her by coming near to her house. The last incident took place on 24-1-2015 at 9.30 a.m. when the applicant went to the house of the girl and made gesture. She disclosed it to her parents and then they approached the police. Crime is registered for offences punishable under sections 354-A (1) (i), (v), 354-D etc of the Indian Penal Code and sections 8 and 12 of the Protection of Children from Sexual Offences Act.

3) The learned counsel for the applicant submitted that the applicant is behind the bars for about one month. He submitted that false allegations are made against him. He submitted that offence under section 8 of the Act, 2012 is not made out as the applicant had not touched the person of the girl.

4) It can be said that for about 1 and half years the victim girl was somehow tolerating the conduct of the applicant but ultimately the girl approached the police

and filed complaint against the applicant. The applicant is behind the bars since about one month. He must have learnt a lesson. Subject to some conditions bail can be granted to the applicant.

5) In the result, the application is allowed. The applicant is to be released on bail in Crime No.17/2015 registered in Ambad Police Station, District Jalna, for offences under sections 354-A (1)(i), (v), 354-D etc. of the Indian Penal Code and sections 8 and 12 of the Protection of Children from Sexual Offences Act on his furnishing PB and SB of Rs.15,000/-. The applicant is not to tamper with prosecution witnesses. He is not commit similar offences. He is not to visit village Sarangpur, Tahsil Ambad, and he is not to visit the school of the girl. He is not to go to the vicinity of the girl and not to meet the girl if by chance she comes across till the disposal of the case which may be filed against him.

Sd/-
(T.V. NALAWADE, J.)

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