

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

CRIMINAL APPLICATION NO.5050 OF 2015

Shaikh Naved s/o Tajmahammad,
Age 25 years, Occu. Business,
R/o Shivaji Nagar, Akole, Taluka
Akole, District Ahmednagar

..Applicant

Versus

The State of Maharashtra,
through the Police Station Officer,
Police Station, Akole, Taluka
Akole, District Ahmednagar

..Respondent

Mr A.R. Devakate, Advocate for applicant
Mr G.O. Wattamwar, A.P.P. for respondent

CORAM : N.W. SAMBRE, J.

DATE : 20th October 2015

PER COURT

Heard learned Counsel for the applicant and learned A.P.P.

2. The applicant herein is seeking regular bail in Crime No.I-119/2015 registered at Akole Police Station, District Ahmednagar, for offences punishable under Sections 363, 354-A (I) (ii) 506 of Indian Penal Code and under Section 7, 8, 17 and 18 of the Protection of Children from Sexual Offences Act.

3. Learned Counsel for the applicant submits that there was no intention on the part of applicant to commit the alleged offence, as the girl named in the complaint namely Mohini and her younger sister voluntarily accompanied the applicant and his friend Ramjan Shaikh for a pleasure trip.

4. Learned Counsel Mr Devakate further submits that perusal of first information report reflects that apart from pleasure trip, there are no other allegations of commission of any crime by the applicant.

5. Learned Additional Public Prosecutor, while opposing the application for grant of bail, would urge that the father of the minor girls by name Ravindra Pataskar has lodged the complaint on 25th August 2015, which resulted into registration of crime in question against the present applicant.

6. Having perused the contents of first information report and the other case papers, it reflects that there are no external or surface injuries to both the girls noticed during the medical examination. Apart from above, even there are no such accusations against the applicant. Prima facie, perusal of papers reflects that father of the girls has created an improbable story.

7. In view thereof, it will be appropriate, in my opinion to allow the present application. Hence, I propose to pass the following order.

(I) The applicant - Shaikh Naved son of Tajmahammad be released in Crime No.I-119/2015 registered at Akole Police Station, District Ahmednagar, for offences punishable under Sections 363, 354-A (I) (ii) 506 of Indian Penal Code and under Section 7, 8, 17 and 18 of the Protection of Children from Sexual Offences Act, upon furnishing P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount;

(II) The applicant shall keep himself away from the jurisdiction of concerned Police Station till filing of charge-sheet.

8. Criminal Application stands allowed in above terms.

(N.W. SAMBRE, J.)

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