

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

CRIMINAL APPLICATION NO. 3613 OF 2015.

NIRANJAN THAKU RATHOD.

VERSUS

THE STATE OF MAHARASHTRA & ORS.

Appearance =>

Mr. Sudarshan J. Salunke, Advocate for the Applicant.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 23rd July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of anticipatory bail, since he is apprehending his arrest in connection with CR No.57/2015 registered with Police Station, Ashti, District - Jalna for the offences punishable under Section/s 354, 354(A) of the Indian Penal Code.

[2] Heard Mr. Sudarshan J. Salunke, learned counsel for the Applicant and Mrs. Bharad, learned Additional Public Prosecutor.

[3] According to the First Information Report, husband of first informant by name Prakash, who is a driver, was not present in the house and on 24th June, 2014 when she and her son – Bharat were sleeping on a cot, in the court-yard, at 11.00 O'clock the Applicant

tried to pull bed sheet and tried to caught hold the hand of the prosecutrix. The First Information Report is completely silent about the scuffle however, the statements of the father-in-law and mother-in-law of prosecutrix shows that, there was scuffle.

[4] The spot panchnama does not show that there was any source of light to identify the present Applicant. Looking to the nature of offence and in view of the collected evidence on record, I am of the view that, the Applicant can be protected by anticipatory bail however, by imposing certain conditions. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) In the event of arrest, Applicant - NIRANJAN THAKU RATHOD shall be released on anticipatory bail on he executing P.R. Bond of Rs. 15,000/- [Rs. Fifteen Thousand.] with one solvent surety in the like amount, in connection with CR No.57/2015 registered with Police Station, Ashti, District - Jalna for the offences punishable under Section/s 354, 354(A) of the Indian Penal Code.

(iii) Till charge sheet is filed, the Applicant shall not enter in the Hanuman-nagar Loni Tanda, Taluka – Partur, District – Jalna and also shall not try to influence the prosecutrix or any of her family members.

(iv) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)