

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.454 OF 2015**

Mr. Ashok Dnyaneshwar Kale
Versus
State of Maharashtra

....Applicant.

...Respondent.

Mr. Shridhar S. Huddar, advocate for the Applicant.
Mr. D.P.Adsule, APP for the respondent-State.

CORAM : MRS. MRIDULA BHATKAR, J.

DATED : April 6, 2015.

P.C.:

The application is moved for pre-arrest bail. Applicant-accused is prosecuted for the offences punishable under Section 354(A)1 (D) (1) of the IPC and under Sections 11(i)(iv)e(f), Section 10 of the Protection of Children from Sexual Offences Act, 2012.

2 It is the case of the prosecution that victim is 14 years and studying in 9th Standard at Diskal, Taluka: Khatav, District: Satara. She went for school trip on 11.1.2015. While returning in the evening at around 7 p.m. when she was sitting on backside of the ST, applicant-accused , who was working as clerk in the said school outraged her modesty. She

protested it and changed her seat. Thereafter, she informed about the incident to her principal after 2-3 days. She also noticed that thereafter applicant-accused used to follow her so she was scared and she gave complaint by disclosing the incident to her family members.

3 The learned counsel for the applicant has submitted that it is a false case. Applicant-accused is falsely implicated in this case due to local rivalry between the two groups. He submitted that the custodial interrogation is not required.

4 The learned prosecutor produced statements of principal and the teachers of the school and opposed the application.

5 Perused the FIR. Perused the statements of the teachers and principal. Prima-facie, there is involvement of the applicant-accused in the said offence. Hence, it is not the case to grant pre-arrest bail.

6 Application, accordingly, stands rejected.

(MRS.MRIDULA BHATKAR, J.)