

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.492 OF 2015

Shilpushp Bhiku Bhosale & Ors.

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr.Rahul S. Kadam for the Applicant

Ms.Veera Shinde, APP, for Respondent – State

CORAM: **MRS.MRIDULA BHATKAR, J.**

DATE: **JUNE 22, 2015**

P.C.:

1. The application is moved by the three applicants/accused as they are facing prosecution under section 354A of the Indian Penal Code and under sections 8 and 12 of the the Protection of Children from Sexual Offences Act, 2012. The offence was registered on 19.3.2015 at the instance of the prosecutrix at the Indapur police station, Pune. It is the case of the prosecutrix that the applicants/accused are the residents of the same village and when she was going to college, the applicants/accused used to tease her. However on 19.3.2015, when she was going for the examination, they started whistling and one of the accused started honking the horn of his motor cycle and commented and made sexually coloured remarks. When she returned home from examination, she

informed this to her father and uncle. Thereafter, she gave complaint to the police.

2. The learned Counsel for the applicants/accused has submitted that a dispute is going on between the family of the prosecutrix and the family of the applicant/accused No.1. All the applicants/accused are the students. They are of 19 to 20 years of age. He pointed out that earlier applicant/accused No.1 had given complaint against the father and uncle and other family members of the prosecutrix on 5.5.2014 and the offence was registered at C.R. No.145 of 2014 at Indapur police station, Pune (Rural) against them under sections 324, 363, 504, 506 r/w 34 of the Indian Penal Code. He submitted that this FIR is registered out of vengeance and the applicants/accused are ready to cooperate.

3. Learned Prosecutor while opposing the application relied on the FIR of the prosecutrix.

4. Perused the FIR lodged by the prosecutrix so also the previous complaint given by the applicant/accused No.1 against the father, the uncle and other family members of the prosecutrix in May, 2014. There is a civil dispute going on between the families. A copy of the suit is also annexed herewith. On query, it is informed by the learned Prosecutor that there are no antecedents against the applicants/accused.

5. In view of the above, I confirm the pre-arrest bail granted earlier vide order dated 7.4.2015 with the same terms and conditions. However, the applicants/accused are directed to attend the concerned police station on every Friday, between 6pm to 7pm for a period of one month, i.e., upto 17.7.2015 (inclusive) and shall not keep any contact with the prosecutrix.
6. Anticipatory Bail Application stands disposed of accordingly.

(MRS.MRIDULA BHATKAR, J.)