

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO.519 OF 2015

Vinod Bachhubhai Desai .Applicant

V/s.

The State of Maharashtra .Respondent

Mr.Santosh Deshpande a/w. Mr.K.N.Gujar,
Advocate, for the Applicant
Mr.S.H.Yadav, APP, for the Respondent - State

CORAM : REVATI MOHITE DERE, J.

DATE : 15TH APRIL, 2015

P.C.

. Heard the learned counsel for the applicant and learned APP for the respondent – State.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R.No.129 of 2015 registered with the Dindoshi Police Station, Mumbai for the alleged offence punishable under Section 354 of the Indian Penal Code.

3. According to the complainant, the incident in question has taken place on 07.03.2015 at about 1.00 a.m. in the night. She has stated that her husband was out and that she was alone at home with the two children. She has alleged that the present applicant – her husband's friend, under the influence of alcohol came to her house and asked her for water. Accordingly, she offered water to the applicant. Thereafter, the applicant is alleged to have asked her to be his friend, which she refused. Thereafter, the applicant asked the complainant to save his mobile number on her mobile, which she refused and hence, the applicant is alleged to have pulled her mobile phone, from her hand, and saved his number on the complainant's mobile phone. She has alleged, that in order to save the number, the applicant held her hand, as a result of which her modesty was outraged. Thereafter, the complainant is alleged to have pushed the applicant out of the house and

closed the door.

4. The learned counsel for the applicant submits that the present case, is an outcome of an earlier case, lodged by the present applicant against the complainant's husband and two others. The said incident is alleged to have taken place on the previous day i.e. 06.03.2015 at 10.30 p.m.. Pursuant to the said complaint lodged by the applicant, police of the Navghar Police Station registered an FIR vide C.R.No.125 of 2015 alleging an offence punishable under Section 324 of the Indian Penal Code, as against the complainant's husband and two others.

5. Considering the nature of allegations, custodial interrogation of the applicant is not necessary. In the event of arrest, applicant be released on bail on his furnishing P.R.Bond in the sum of Rs.15,000/- with one or two solvent sureties in the like

amount on the following conditions;

(i) The applicant shall attend the Navghar Police Station on every Saturday in between 10.00 a.m. and 11.00 a.m. till filing of the charge sheet;

(ii) The applicant shall co-operate in the conduct of the trial.

6. The Anticipatory Bail Application is allowed and disposed of accordingly.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)