

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 915 OF 2015

Damu Mahadev Bagade

.....Applicant

V/s.

The State of Maharashtra

....Respondent

Mr. Rishi Bhuta for Applicant

Ms. R. M. Gadhai APP for the State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 23rd JUNE, 2015

PC :

Heard. This is an application under section 439 of Code of Criminal Procedure, 1973. Applicant herein is arrested on 09/03/2015 in crime no. 121 of 2015 registered at Goregaon Police Station for offence punishable under sections 354, 354 (A) and 509 of Indian Penal Code and section 12 of Protection of Children from Sexual Offences Act, 2012.

2) It is the case of prosecution that on 09/03/2015 at about 11.30 a.m., present applicant who happens to be more than 65 years old had caught hold of hand of complainant and had told her that he has developed a liking for her and had invited her home. Complainant had raised hue and cry. She reached home and informed about incident to her parents and her brother. Her brother and parents had accosted the applicant and had taken him to the police station

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and he was taken into custody forthwith.

3) Taking into consideration the age of the applicant and the allegations levelled against applicant, including the period of imprisonment which he had undergone, this Court is inclined to enlarge the applicant on bail. It is made clear that observations made herein above are prima facie in nature and shall not be considered for quashing of F.I.R., discharge application or at the time of trial.

ORDER

- (i) Application is allowed.
- (ii) Applicant be enlarged on bail on furnishing P. R. bond in the sum of Rs. 15,000/- with one or two sureties in the like amount.
- (iii) Applicant shall attend on each and every scheduled date before Special Court. Upon failure to report on any two consecutive dates, prosecution would be at liberty to seek cancellation of bail.
- (iv) Application stands disposed of.

(SMT. SADHANA S. JADHAV, J.)