

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1039 OF 2015

Suraj Sarjerao Shinde	... Applicant
vs.	
The State of Maharashtra	... Respondent

Mr. Prashant Patil, for the Applicant.
Mr. S.S. Pednekar, APP for Respondent – State.

CORAM: **MRS.MRIDULA BHATKAR, J.**
DATE: **JUNE 12, 2015**

P.C.:

. The application is moved for bail. The applicant/accused is facing charges under Sections 354(A)(D) and 452 of the Indian Penal Code and Sections 7 and 8 of the Protection of Children from Sexual Offences Act (POSCO Act).

2. It is the case of the prosecution that the applicant/accused is staying near the prosecutrix. On 14th April, 2015 he tried to assault her sexually and she shouted and resisted. After seeing her brother, applicant/accused ran away. The first information report is lodged on 14th April, 2015 at 1.30 p.m. and the offence is registered at C.R. No. 59 of 2015 at Bhuinj police station, Satara.

3. The learned counsel for the applicant/accused submitted that the applicant/accused is 20 years old and he is in the prison since 14th April, 2015. He is ready to leave the village for some period and he will not commit any other offence.

4. The learned prosecutor opposes the bail application and pointed out that the prosecutrix is 12 years minor girl and the offence is committed under the POSCO Act.

5. Perused the first information report. The prosecutrix is a minor girl of 12 years. Applicant/accused is staying in the same locality and he is of 20 years old. After going through the contents of the first information report, the allegations made and the details of actual act committed, I am inclined to grant bail under the following terms and conditions:

- a) The applicant/accused be enlarged on bail on furnishing P. R. Bond in the sum of Rs. 30,000/- (Thirty Thousand) with one or two solvent sureties in the like amount;
- b) The applicant/accused shall not enter the village Bopegaon, Tal. Vai, Dist. Satara for six months.
- c) The applicant/accused shall not keep any contact with the girl & shall not try to pressurize through any friend, relatives or himself.

d) Violation of these conditions will amount to cancellation of the bail.

6. Bail application is disposed of on the above terms.

(MRS.MRIDULA BHATKAR, J.)