

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.798 OF 2015
IN
CRIMINAL APPEAL NO.679 OF 2015

Mr. Sandip Ramchandra Naik ..Applicant
Versus
The State of Maharashtra ..Respondent

....
Mr. A. M. Saraogi, Advocate for the Applicant.
Mrs. Anamika Malhotra, APP, for the State.

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CORAM : A. R. JOSHI, J.

DATE : 14th JULY, 2015

P.C.

1. Heard learned Counsel for the applicant and also learned APP for the State on this application for bail during pendency of the appeal.

2. The applicant/appellant is convicted for the offence punishable under Section 354 of IPC and sentenced to suffer RI for one year. He is also convicted for the offence punishable under Section 8 of the Protection of Children from Sexual Offences Act and sentenced to suffer RI for three years.

3. During the trial the applicant was on bail. Even after

conviction the applicant is on bail till filing of the appeal. Reportedly, fine amount is already paid. In the substantive evidence of PW-1, the girl then aged about 15 years studying in eight standard, she had not identified the present applicant as the person indulging in the acts attracting punishment under Section 8 of the Protection of Children from Sexual Offences Act.

4. Considering these circumstances, the present application is allowed. The applicant be released on same bail as granted by the trial Court with fresh bonds to be executed before the trial Court. Application is accordingly disposed of.

(A. R. JOSHI, J.)

Deshmane (PS)