

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.885 OF 2015
IN
CRIMINAL APPEAL NO.727 OF 2015

Prashant @ Chingu L. Wable V/s. The State of Maharashtra

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Prothonotary's orders	Court's or Judge's orders
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Mr.Rupesh Zade, for the applicant-appellant.

Mrs.Anamika Malhotra, for the respondent-State.

CORAM : A.R. JOSHI, J.
DATE : 30TH JULY 2015

P.C.:

1. Heard rival submissions on the application for bail during pendency of appeal and suspension of substantive sentence. The applicant is convicted for the offence punishable under sections 8 of Protection of Children from Sexual Offences Act, 2012 and section 354 and 506 of Indian Penal Code. For offence punishable under section 8 of Protection of Children from Sexual Offences Act, 2012 he is sentenced to suffer RI for 3 years and to pay fine of Rs.1,000/-. For offence punishable under section 354 of Indian Penal Code no separate punishment was awarded. For offence punishable under section 506 of Indian

Penal Code he was sentenced to suffer RI for one year and fine of Rs.100/-. During the trial the applicant was on bail and after conviction he is granted bail till filing of appeal. It is factual position that during the trial except P.W.No.2 the victim girl other important witnesses i.e. her two friends i.e. P.W.No.3 and P.W.No.4 and even her father P.W.No.2 did not support the case of the prosecution and turned hostile. Apparently the conviction of the only on the witness P.W.No.1 prosecutrix. Considering these circumstances and considering during the trial the applicant was on bail, present application is allowed.

2. Applicant be released on same bail as granted by the trial Court with fresh bond to be executed before the trial Court.

(A.R. JOSHI, J.)