

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.1249 OF 2015**

Shrirang Shankar Bobade

...Applicant

Versus

The State of Maharashtra

...Respondent

Ms. Deepa Kamath for the Applicant

Mr. S. H. Yadav, A.P.P for the Respondent-State

PSI Mr. Amol Bhosale from Koregaon Park Police Station, Pune is present

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 4th SEPTEMBER, 2015

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 72 of 2015 registered with the Koregaon Park Police Station, Pune for the alleged offences punishable under Section 354 of the Indian Penal Code, 1870.

3. It is alleged by the complainant that on 18th August, 2015, she had visited the cabin of the applicant and that the applicant touched her inappropriately and thereby outraged her modesty. The FIR was lodged by

the complainant on the same day. She has alleged in the FIR that as she wanted a change in duty from one Department to the other, she had approached the present applicant. It is alleged by her that when she told the applicant that she was transferred from ICU to the Operation Theater, the applicant touched her inappropriately and told her that such transfers were bound to happen.

4. Learned Counsel for the applicant submitted that the applicant was not responsible for such transfers and therefore, the allegation of the complainant is baseless.

5. Learned A.P.P on the instructions of the Investigating Officer, who is present in Court, states that the Officer has examined the CCTV footage of the hospital which shows that the applicant entered the hospital at 11:33 a.m. He further submits that there is no witness who states that he saw the complainant entering the cabin of the applicant.

6. Considering the nature of allegations, the custody of the applicant is not required and the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the 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 ;
- (ii) The applicant shall attend the concerned Police Station as and when called for, till the filing of the charge-sheet;
- (iii) The applicant shall cooperate with the investigating agency and shall not tamper or attempt to influence the complainant or any witness concerned with the case.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear that the observations made herein are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

9. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.