

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1685 OF 2015

Vicky Baburao Arolkar .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.A.S.Khandeparkar i/b. Khandeparkar &
Associates, Advocate, for the Applicant
Mr.S.S.Pednekar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 07.09.2015

P.C.

. Heard learned counsel for the applicant
and the learned APP for the respondent – State.

2. By this application, the applicant
seeks his enlargement on bail in connection with
C.R.No.34 of 2015 registered with the Vengurla
Police Station, Sindhudurg, for the alleged
offences punishable under Sections 354(A)(i) &
506 of the Indian Penal Code, 1870 and under
Section 12 of the Protection of Children from

Sexual Offences Act, 2012.

3. The complainant is aged 15 years and the applicant is aged 24 years. The applicant is stated to be the son of a Peon working in the said school, where the complainant was studying. The complainant has alleged that on 17.08.2015 when she was standing outside the class room, the applicant called her and asked her to sit on the motor cycle. She has alleged that the applicant threatened her that if she did not sit on the motor cycle, he would kill her father and hence she sat. It is alleged that after going a few meters ahead, the motor cycle stopped and hence she got down. At that time, according to the complainant, the applicant touched her cheek and hands and asked her to sit on the motor cycle. She has alleged that she opposed the same and ran to the school. She has alleged that as the applicant is alleged to have threatened to

kill her father, she did not disclose this incident to any one. The present complaint has been lodged on 20.08.2015.

4. Learned counsel for the applicant submits that all the sections alleged by the complainant are bailable.

5. Perused the FIR. It appears that the sections that have been alleged as against the applicant are bailable. In view of the same, the applicant is enlarged on bail on the following terms and conditions:

ORDER

(i) The applicant be released on bail in connection with C.R.No.34 of 2015 registered with the Vengurla Police Station, Sindhudurg, on executing P.R.Bond in the sum of Rs.15,000/- with one or two solvent sureties in the like amount;

(ii) The applicant shall not tamper or attempt to contact the prosecutrix or any witness concerned with the said case;

(iii) The applicant shall attend the Vengurla Police Station, Sindhudurg on every Saturday between 10.00 a.m. to 01.00 p.m. till the filing of the charge sheet.

6. It is made clear, that the observations are prima facie for the purpose of deciding the application and the learned Judge shall conduct the case on its own merits, uninfluenced by the observations made herein.

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

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

CERTIFICATE

Certified to be true and correct copy
of the original signed Judgment/order.