

Anand

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

BAIL APPLICATION NO.1688 OF 2015

Kiran Malhari Pasage .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.Prashant Hagare i/b. Mr.A.M.Kale, Advocate,
for the Applicant

Mr.S.H.Yadav, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 11.09.2015

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.241 of 2015 registered with the Indapur
Police Station, Pune(Rural), for the alleged
offences punishable under Sections 354D, 452 &
506 of the Indian Penal Code, 1870.

3. The complainant is one Sou.Sushma Vijay Pasage. She has alleged that on 09.08.2015, when she was alone at home, the applicant came into the house at 11.00 p.m. and outraged her modesty, by physically touching her. It is alleged that just when the complainant threatened the applicant, that she will inform her mother-in-law and her husband, her mother-in-law walked in, as a result of which the applicant fled.

4. Learned counsel for the applicant states that the applicant has been in custody since 13.08.2015. He submits that section 354D is a bailable offence and that section 452 is non-bailable.

5. Considering the nature of allegations and the fact that the applicant is in custody since 13.08.2015, the applicant is enlarged on

bail on the following terms & conditions:

ORDER

(i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(ii) The applicant shall attend the Indapur Police Station, Pune(Rural) on every Saturday between 10:00 a.m. to 11:00 a.m. till the filing of the charge-sheet;

(iii) The applicant shall not enter the jurisdiction of village Vadapuri till the filing of the charge-sheet;

(iv) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(v) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the

matter and to the Investigating Officer of the concerned Police Station;

(vi) The applicant to cooperate with the conduct of the trial;

(vii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

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

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

All concerned 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.