

Anand

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

BAIL APPLICATION NO.1760 OF 2015

Ravindra Eknath Rathod .Applicant

v/s.

The State of Maharashtra .Respondent

Mr.R.R.Salvi i/b. Mr.Robin Thomas, Advocate, for
the Applicant

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

CORAM : REVATI MOHITE DERE, J.

DATE : 09.10.2015

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.I-721 of 2015 registered with the Mahatma
Phule Chowk Police Station, Kalyan(W), for the
alleged offences punishable under Sections 354 &
506 r/w.34 of the Indian Penal Code and under
Sections 8 & 12 of the Protection of Children

from Sexual Offences Act (POCSO).

3. The complainant is the mother of the victim-girl. According to the prosecution, the applicant was teaching computer in the School, where the victim-girl was studying and learning computer. According to the victim-girl, the present applicant during the computer class touched her cheek, shoulder and inappropriately touched her chest and threatened her that she should not disclose the said incident to anyone.

4. Learned counsel for the applicant states that charge-sheet is filed and even otherwise the applicant has been suspended from the said School, and hence there is no question of contacting the victim-girl/any other person concerned with the School.

5. Learned APP does not dispute the nature of allegations as afore stated. He states that there are several girls, who have made similar complaints as against the present applicant as is evident from the charge-sheet.

6. Perused the charge-sheet which is tendered by the learned counsel for the applicant. Prima facie, it appears that some incident has taken. However, considering the fact that investigation is complete and charge-sheet is filed and the fact that the applicant is suspended from the said School and that the trial will take some time, 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.20,000/- with one or two sureties in the like amount;

- (ii) The applicant shall attend the Mahatma Phule Chowk Police Station, Kalyan(W) on the first Saturday of every month between 10:00 a.m. to 11:00 a.m. till the conclusion of the trial;
- (iii) The applicant shall not tamper or attempt to influence or contact the victim-girl, witnesses or any person concerned with the case;
- (iv) 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;
- (v) The applicant to cooperate with the conduct of the trial;
- (vi) 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.

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 *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.)