

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1787 OF 2015

Shankar Ramchandra Pawashe ..Applicant

v/s.

The State of Maharashtra. ..Respondents

Mr. Rupesh Zade for the Applicant
Mrs. G.P.Mulekar, APP for the Respondent-State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : DECEMBER 09, 2015.**

P.C.

1. This is an application for anticipatory bail filed by the aforesaid applicant apprehending his arrest in Crime No.368 of 2015 registered with Baramati Taluka Police Station for the offence punishable under Section 354 of the Indian Penal Code.
2. Mr. Zade, the learned counsel for the applicant has submitted that the applicant has been falsely implicated in view of the strained relationship between the applicant and the complainant. He has further stated that the applicant is a student and that his future

would be jeopardized if he is arrested in this crime.

3. Mrs. Mulekar, the learned APP for the State submitted that the applicant has been threatening the complainant to withdraw the complaint. They have expressed apprehension that if released on bail, the applicant would interfere with the investigation.

4. I have perused the records and considered the submissions advanced by the learned counsel for the applicant and the learned APP for the State. The records prima facie reveal that the victim is the neighbour of the applicant. She had alleged that on 23.10.2015 while she had gone to answer the call of nature the applicant held her from behind and had thereby outraged her modesty. Pursuant to the said complaint FIR No. 368 of 2015 for offence under Section 354 of Indian Penal Code has been registered against the applicant.

5. The offence under Sec. 354 IPC is punishable with imprisonment for two years. The nature of offence therefore does not justify custodial interrogation. The applicant is a 22 years youth, who has done his B.E. from Savitribai College, Pune, and it is stated that he is presently appearing for various competitive exams. This being the case, the arrest of the applicant could jeopardize the career and

future of the applicant. The applicant is a permanent resident of Baramati, Pune. There are no chances of the applicant absconding or thwarting the course of justice.

5. Considering the above facts and circumstances, the applicant is entitled for bail. Hence the application for anticipatory bail on the following terms and condition:-

- i) In the event of arrest of the applicant in Crime No.368 of 2015 of Baramati Taluka Police Station, the applicant be released on bail , on the applicant furnishing personal bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in the like amount to the satisfaction of the learned JMFC, Baramati.
- ii) The applicant shall report to the Investigating Officer for four days between 10 a.m. to 1.p.m. from the date of the order.
- iii) The applicant shall not interfere with the complainant or the witnesses in any manner.

(ANUJA PRABHUDESSAI, J.)