

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

BAIL APPLICATION NO.331 OF 2015

Sandip Kumar Goyal

-vs-

State of Maharashtra (Thr. P.S.O. Ghughus, Dist. Chandrapur)

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Amol Mardikar, Advocate for applicant.
Shri R. S. Nayak, APP for State.

CORAM : A.S.CHANDURKAR, J.
DATE : MAY 26, 2015

With regard to an incident dated 02/05/2015 at about 6.30 p.m., report came to be lodged on 05/05/2015 on the basis of which offence under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and Sections 354, 354-A and 354-B of the Penal Code came to be lodged. In the report it is stated that the accused caught the neck of the minor and slapped her. It is further stated that certain statements came to be made by the accused thereafter. It is stated that applicant has been arrested on 05/05/2015 and is in custody since then. It is further submitted that prima facie Section 8 of the Act of 2012 is not attracted considering the provisions of Section 7 thereof.

The application is opposed by learned Assistant Public Prosecutor on the ground that ingredients of Section 7 are duly satisfied. It is further stated that applicant is residing in the same locality and it is likely that he would influence the witnesses.

Prima facie, considering the report as lodged alongwith the provisions of Sections 7 and 8 of the Act of

2012 coupled with the fact that report has been lodged after about three days, a case for grant of bail has been made out. The apprehension of the prosecution regarding possibility of the applicant influencing the investigation can be taken care of by imposing conditions.

Hence the application is allowed. The applicant is directed to be released on bail with regard to Crime No.84/2015 registered with Police Station Ghughus on executing P.R.Bond for sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one surety for like amount. The applicant however shall not enter the jurisdiction of Police Station Ghughus but shall report to the Investigating Officer once in every week as directed till the investigation is complete. The applicant shall not try to influence or coerce the prosecution witnesses. The applicant to abide further directions of the Investigating Officer. Observations made in the order are only for the purposes of deciding the bail application and the trial Court shall not be influenced by the same while conducting the trial.

Application is disposed of.

JUDGE