

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO. 341 OF 2015

(GOPAL NIVRUTTI KASRALE...VS..THE STATE OF MAH. THR. PSO PS JIVATI, CHANDRAPUR)

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

Court's or Judge's orders

Ms Ankita Sarkar h/f. Mr.S.V.Sirpurkar, Advocate for Applicant.
Ms Kalyani Deshpande, A.P.P. for Non-applicant/State.

CORAM : M.L.TAHALIYANI, J.

DATED : MAY 19, 2015.

Heard both sides.

Perused the F.I.R. The offences punishable under Sections 354A and 354D of the Indian Penal Code are bailable. It is highly questionable whether Section 8 of the Protection of Children from Sexual Offences Act, 2012 will be applicable. In my opinion, it *prima-facie* appears that it has been wrongly applied. Hence, I pass the following order :

The applicant be released on bail in the sum of Rs. Five Thousand with one solvent surety in the like amount or cash deposit of Rs.Five Thosuang.

He shall attend the office of the Investigating Officer as and when required till chargesheet is filed.

JUDGE