

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

**CRIMINAL APPLICATION NO.3281 OF 2016 IN
CRIMINAL APPEAL NO.373 OF 2016**

Shankar s/o Saluba Shejwal ... APPLICANT

VERSUS

The State of Maharashtra ... RESPONDENT

.....
Mrs. M.A. Kulkarni, Advocate for applicant
Shri K.D. Mundhe, A.P.P. for respondent/ State
.....

CORAM: A.I.S. CHEEMA, J.

DATED: 22nd July, 2016.

ORAL ORDER :

1. Not on Board. Taken on Board in view of the order dated 18.7.2016.

2. Heard learned counsel for the applicant and learned A.P.P. for the State. The applicant - original accused has been convicted under Sections 354, 506 of the Indian Penal Code and under Section 7 read with Section 8 of the Protection of Children from Sexual Offences Act. Considered the extent of sentence of imprisonment. Considered the grounds raised in the application. The applicant has filed affidavit claiming to be 70 years of age and that he resides 1 Km. away from the house of the victim.

The applicant has undertaken not to trouble the victim in any manner.

3. Accepting this undertaking given by the applicant, the application for bail is allowed. The sentence of imprisonment alone of the applicant is suspended during the pendency of the appeal subject to the applicant appearing before the trial Court on 9th August 2016 and furnishing P.R.B. and S.B. in the sum of Rs.15,000/- (Rupees fifteen thousand). At the time of releasing the applicant - accused on bail, the trial Court shall add condition of accused marking presence in the trial Court every three months, till disposal of the Criminal Appeal. Trial Court shall yearly send report in January of marking presence by accused in this regard to this Court till disposal of appeal.

4. The applicant shall be bound by the undertaking that he will not trouble the victim in any manner. If the applicant bothers the victim in any manner, his bail will be liable to be cancelled.

(A.I.S. CHEEMA, J.)