

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

CRIMINAL APPLICATION NO.3882 OF 2016

Akshay s/o KarbhariGahal @ Patil,
Age 18 years, Occu. Student,
R/o Room No.229, Ranjangaon road,
Near Neha Clinic, Pandharpur,
District Aurangabad

..Applicant

Versus

The State of Maharashtra,
through Police Station,
Kranti Chowk, Dist. Aurangabad

..Respondent

Mr K.D. Jadhav, Advocate for applicant
Ms R.P. Gaur, A.P.P. for respondent

CORAM : V.K. JADHAV, J.

DATE : 22nd July 2016

PER COURT

Heard learned Counsel for the applicant and learned A.P.P. for the State.

2. The applicant is seeking pre-arrest bail in connection with Crime No.0651/2016, registered at Kranti Chowk Police Station for the offences punishable under Sections 354, 354-D, 506 of Indian Penal Code. His application with similar prayer came to be rejected by Additional Sessions Judge, Aurangabad vide order dated 5.7.2016 passed below Exh.1 in Bail Petition No.1242/2016.

3. On the basis of complaint lodged by one Shweta Mohan Kumawat, aged 17 years, the aforesaid crime came to be registered. It has alleged in the complaint that the applicant is sexually harassing her by sending messages on her mobile. On the basis of these

allegations, the applicant, who is 18 years of age and taking education, apprehends his arrest at the hands of the Police.

4. Learned Counsel for the applicant submits that the applicant is a young person taking education in 11th Standard in S.B. College, Aurangabad. His antecedents are clear. The learned Counsel submits that the parents of the applicant are present before this Court today and they assured that in future they would take care of the applicant.

5. Learned A.P.P. submits that there is a strong prima facie case against the applicant and he has not only sent the messages on the mobile phone of the informant but even caught hold her hand on one occasion.

6. The applicant is a College going student. His antecedents are clear. In the set of allegations, his custodial interrogation is not required. His parents are also present before the Court and they also assured in the open Court that in future the applicant will not trouble the informant in any manner, as alleged in the complaint. Thus, by imposing certain conditions, the applicant can be released on pre-arrest bail. Hence, I proceed to pass the following order:

(I) Criminal Application is hereby allowed.

(II) In the event of arrest in connection with Crime No..0651/2016, registered at Kranti Chowk Police Station for the offences punishable under Sections 354, 354-D, 506 of Indian Penal Code, the applicant - Akshay s/o Karbhari Gahal @ Patil be released on bail, on furnishing

personal bond of Rs.5,000/- with one surety of the like amount on following conditions.

(III) The applicant shall not tamper with the prosecution evidence, in any manner.

(IV) The applicant shall attend the concerned Police Station once in a week on every Sunday between 8.00 a.m. and 11.00 a.m. till filing of the charge-sheet.

7. Criminal Application stands disposed of accordingly.

(V.K, JADHAV J.)

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