

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

CRIMINAL APPLICATION NO. 5530 OF 2016

Sachin Gokul Patil .. Applicant
Age. 24 years, Occ. Student,
R/o. Hiwarkheda (Kh), Tq. Parola,
Dist. Jalgaon.

Versus

The State of Maharashtra .. Respondent

Mr.P.B. Pawar, Advocate for the applicant.
Mr.A.S. Shinde, APP for respondent/State.

CORAM : A.M. BADAR,J.

DATED : 13.10.2016

P.C. :-

1. The applicant/accused in Crime No.139 of 2016, registered with Parola Police Station, Dist. Jalgaon, for the offence punishable under sections 354-A, 448, 323, 504, 506 of the Indian Penal Code and under section 8 of the Protection of Children from Sexual Offences Act, by this application, is seeking his release on bail.

2. Heard learned Counsel for the applicant as well as learned A.P.P.

3. Learned A.P.P. opposed the application by contending that several witnesses had seen the post-event happenings and therefore version of the prosecutrix is

corroborated by statements of other witnesses including father of the prosecutrix.

4. Perused papers of investigation. The F.I.R. is lodged by the prosecutrix with an averment that on 15.09.2016, when nobody was there in her house, the applicant entered in her house and had outraged her modesty by pulling her hand and touching her breast. According to the prosecutrix, then she ran away from the house and took shelter in the company of Khatabai Patil and Mangalabai Patil. The prosecutrix further stated that then the applicant started abusing her as well as her father and has also assaulted her father. During investigation, statements of witnesses including those in the F.I.R. are recorded. Substantial part of the investigation is already over. Considering the nature of averments and as substantial part of the investigation is already over, further pre-trial detention of the applicant is not warranted. Therefore, the order :-

O R D E R

i) The application is allowed.

ii) Applicant/accused-Sachin Gokul Patil, in Crime No.139 of 2016, registered with Parola

Police Station, Dist. Jalgaon, for the offence punishable under sections 354-A, 448, 323, 504, 506 of the Indian Penal Code and under section 8 of the Protection of Children from Sexual Offences Act, be released on bail on executing P.R.Bond of Rs.20,000/- [Rupees Twenty Thousand] and on furnishing surety in the like amount.

(iii)As a condition of this Order, the applicant shall not extend any threat, inducement or promise to the persons acquainted with the facts of the accusation so as to dissuade them from disclosing the same either to the police or the Court.

(iv) The applicant shall not tamper the evidence of the prosecution.

(v) The applicant shall not contact the prosecutrix or her relatives in any manner.

[A.M. BADAR, J.]