

Anand

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION No.137 OF 2016

Kum Akash alias Akshay Sopan Dadas .Applicant

Vs.

The State of Maharashtra

.Respondent

Mr.D.D.Rananaware, Advocate, for the Applicant
Smt.Veera Shinde, APP, for the Respondent –
State

CORAM : REVATI MOHITE DERE, J.

DATE : 01.04.2016

P.C.

. Heard learned counsel for the Applicant
and the learned APP for the Respondent – State.

2. By this Application, the Applicant
seeks his enlargement on bail in connection with
C.R.No.144 of 2015 registered with the Dahiwadi
Police Station, District – Satara, for the
alleged offences punishable under Sections 354,
354D & 506 of the Indian Penal Code and under
Sections 7, 8, 11 & 12 of the Protection of

Children from Sexual Offences Act (For short 'POCSO').

3. The Complainant is aged 14 years and the Applicant is aged 18 years. According to the Complainant, the incident took place on 26.10.2015 when she was on her way to the School. She has alleged that the Applicant came on a motor cycle, held her hand and asked her to come with him. It is alleged that the Applicant had outraged modesty of the Complainant and threatened the victim, if she does not come with him, he would kill her father. Pursuant to the said incident, the Applicant was arrested.

4. Perused the charge-sheet.

5. Considering the peculiar facts & circumstances of the case and the fact that charge-sheet is filed, the Applicant is enlarged on bail on the following terms & conditions:

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs.5,000/- with one or two sureties in the like amount;
- (ii) The applicant shall report to the investigating officer of the Dahiwadi Police Station, District – Satara on the **first Saturday of every month** between **10:00 a.m. to 11:00 a.m.** for a period of one year;
- (iii) The applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- (iv) The applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;
- (v) The applicant to cooperate in the conduct of the trial;

(vi) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

Parties to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)