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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1210 OF 2016

Rakesh @ Siddheshwar Rajshekhar Bagdure..Applicant.

V/s.

State of Maharashtra

..Respondent.

Mr.Priyal G. Sarda for the applicant.

Mr.Y.M.Nakhwa, APP for respondent-State.

CORAM : A.M.BADAR, J.

DATED : 23RD JUNE, 2016

P.C. :-

1. The applicant / accused in Crime No.354/23016 for offences Punishable under sections 354(A), 506 read with 34 of the Indian Penal Code and Sections 7 and 8 of The Protection of Children from Sexual Offences Act, 1912 registered at Fauzdar Chawdi Police Station, Solapur by this application prays for releasing him on bail.

2. Heard the learned counsel for the applicant. He argued that the applicant is a young boy with no criminal antecedents. He is cousin of the alleged victim and now the

investigation is over.

3. As against this, the learned APP states that offence is serious as well as heinous. The victim is cousin of the applicant. The learned APP states that investigation is now over and the charge-sheet is filed.

4. Perused the papers of investigation. The allegations against the present applicant are to the effect that on 27th May, 2016 he outraged the modesty of his cousin and committed sexual assault on her.

5. The learned counsel for the applicant fairly states that the applicant will keep himself away from the jurisdiction of Fauzdar Chawdi Police Station till the conclusion of the trial as the alleged victim and the applicant are residing in the same area.

6. Considering the nature of averments against the present applicant and the alleged offence, his pre-trial detention is not warranted. Hence the order :-

- (i) The applicant / accused in Crime No.354/23016 for offences Punishable under sections 354(A), 506 read with 34 of the Indian Penal Code and Sections 7 and 8 of The Protection of Children from Sexual Offences Act, 1912 registered at Fauzdar Chawdi Police Station, Solapur be released on bail on his executing P.R. bond in the sum of Rs.10,000/- with one surety in the like amount;
- (ii) The applicant / accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts either to the Court or to any police officer and that he shall not tamper with the evidence;
- (iii) Applicant / accused shall inform his latest place of residence and cell number after his release and continue to inform the change in residence or cell number, if any, from time to time to the concerned police station and on filing the charge-sheet to the concerned Court;

- (iv) The applicant / accused shall co-operate for expeditious disposal of the trial;
- (v) The applicant / accused shall not commit an offence similar to the offence of which he is accused or suspected of the commission;
- (vi) The application is disposed of accordingly.

(A.M.BADAR, J.)