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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1381 OF 2016

Rajveer Awadhesh Singh ..Applicant.
Vs
The State of Maharashtra ..Respondent.

Mr A.H.Ponda a/with Apoorv Singh, Advocate for the applicant.
Ms R.M.Gadhvi, APP for the State.
PSI R.S. Pawar, Vakola Police Station.

CORAM : A.S.GADKARI, J.
DATE : 7th September, 2016.

P.C.

- 1) This is an application under section 439 of the Code of Criminal Procedure, 1973 for bail in C.R. No. 87/2016 registered with Vakola Police Station, Mumbai under section 354 of the Indian Penal Code and under section 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.
- 2) The first information report is lodged by Mrs. Madhuri Kanojiya the mother of the victim girl on 22/2/2016.

With a view to protect the identity of the minor victim girl and in consonance with the provisions of Section 228A of the IPC, the name of the victim and the detailed narration of facts mentioned in the first information report and/or in the statement of the victim girl are hereby avoided. Suffice it to say that on the basis of the first information report lodged by the

mother of the victim girl the present crime is registered.

3) A bare perusal of the first information report at the most would reveal that a prima facie offence under section 354 of the IPC is made out.

4) The applicant was arrested on 22.2.2016. The applicant is about 22 years of age.

In view of the peculiar facts of the present case, I am inclined to release the applicant on bail. As stated earlier, the applicant was arrested on 22/2/2016 and since then he is in jail. The learned APP on instructions submitted that there are no antecedents at the discredit of the applicant, however, the victim girl is residing in the same locality where the applicant resides and there is every possibility that if the applicant is released on bail he may pressurise the witnesses and/or tamper with the evidence. The said apprehension expressed by the learned APP can be taken care of, by imposing stringent conditions upon the applicant.

Hence, the following order :-

a) The applicant be released on bail in CR No. 87 of 2016 registered with Vakola Police Station, Mumbai on his furnishing a P.R. bond of Rs. 15,000/- with one or more local sureties in the like amount;

- b) The applicant shall not enter the jurisdiction of Vakola Police Station, Mumbai except for marking his presence with the said police station as is directed herein below.
- c) After his release from jail, the applicant shall attend Vakola Police Station, Mumbai once in a month i.e. on every first Monday of the said month between 11:00 to 2:00 p.m;
- d) The applicant shall also attend all the dates before the trial Court;
- e) Any two consecutive defaults in complying with the aforesaid conditions will attract the provisions of cancellation of bail;
- f) The applicant shall furnish the documents of the address to the Vakola Police Station, Mumbai, where he intends to reside after his release from jail;
- g) The applicant shall not tamper with the evidence and/or influence the witnesses;
- h) The application is allowed in the aforesaid terms.

(A.S. GADKARI, J.)