

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

CRI. BAIL APPLICATION NO. 1459 OF 2016

Ashish Krushna Nevarekar ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr. N. N. Gawankar, Advocate i/by Manas N. Gawankar,
Advocate for the Applicant.

Mr. Deepak Thakarey, A.P.P. for the Respondent – State.

CORAM : A. M. BADAR, J.

DATE : 26th JULY, 2016

P.C. :

1 Heard the learned counsel for the applicant / accused. He submits that necessary investigation is already conducted and therefore, further pre-trial detention of the applicant is not warranted.

2 Learned APP opposed the application by submitting that the prosecutrix is minor girl aged about 15 years and the applicant/accused is also resident of the same village. The learned APP submits that if the applicant is released on bail, he will tamper evidence of the prosecution. According to the prosecution case on 05.07.2016, the applicant/accused taking advantage of the fact that there was nobody in the house of

the informant, went to her house and outraged her modesty. The FIR shows that the applicant/accused had a panshop near the house of the informant.

3 Considering the allegations against the present applicant/accused and the fact that necessary investigation is already over, his pre-trial detention is not warranted and apprehension of the prosecution can be taken care of by imposing necessary condition. Hence the order.

ORDER

- i. The application is allowed.
- ii. The applicant/accused in Crime No. 120 of 2016 for the offences punishable under sections 354, 452 of the Indian Penal Code and under sections 7 and 8 of the Protection of Children From Sexual Offences Act, 2012, registered with Ratnagiri Gramin Police Station, Ratnagiri, be released on bail on executing PR Bond in the sum of Rs. 20,000/- and on furnishing one or two solvent sureties in the like amount.
- iii. As a condition of this order, till the filing of the chargesheet, the applicant/accused to remain away

from the territorial jurisdiction of the Police Station Ratnagiri (Rural).

- iv. The Applicant/accused should inform his residential address to the Investigation Officer and also inform any changes in his residential address from time to time.
- v. In addition, the Applicant/accused is directed that he 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 such person from disclosing such facts either to the Court or to any police officer and that applicant shall not tamper with the prosecution evidence in any manner.
- vi. The applicant should not commit any offence of similar nature in future.
- vii. The bail application is disposed of accordingly.

(A. M. BADAR, J.)

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