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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1623 OF 2016

Vishal Manohar Bhosale ..Applicant.

V/s.

State of Maharashtra ..Respondent.

Mr.Kuldeep U.Nikam for the applicant.

Mr.Arfan Sait, APP for respondent-State.

CORAM : A.M.BADAR, J.

DATED : 10TH AUGUST, 2016

P.C. :-

1. The applicant / accused in Crime No.111/2016 for offences punishable under section 354, 452 and 506 of the Indian Penal Code and under sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 registered with Vaduj Police Station, District Satara at the instance of the prosecutrix by this application is seeking his release on bail after filing of the charge-sheet.

2. Heard the learned counsel for the applicant as well as the learned APP. The learned APP opposed the application

by contending that the witnesses are residents of village Mayani and the applicant may tamper with the evidence of prosecution.

3. Perused the charge-sheet including the report lodged by the prosecutrix on 1st May, 2016. She averred that on 1st May, 2016, the applicant came to her house and demanded water for drinking. Thereafter, the applicant outraged her modesty and threatened her.

4. Considering the nature of the averments made against the applicant and the fact that the trial will take its own time, pre-trial detention of the present applicant is not warranted. The apprehension of the prosecutor can be taken care of by imposing conditions. Hence the order :-

(i) The application is allowed;

(ii) The applicant / accused in Crime No.111/2016 for offences punishable under section 354, 452 and 506 of the Indian Penal Code and under sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012

registered with Vaduj Police Station, District Satara be released on bail on his executing P.R. bond in the sum of Rs.15,000/- with one or more surety in the like amount;

(iii) 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 / her from disclosing such facts either to the Court or to any police officer and that he shall not tamper with the evidence;

(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 commission in future;

(vi) The application is disposed of accordingly.

(A.M.BADAR, J.)