

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2295 OF 2016

Mr. Kalpesh Anil Shide

.....Applicant

V/s.

State of Maharashtra and anr.

.....Respondents

* * * * *

Mr. Sandeep Sherkhane, Advocate for the applicant.

Mr. N.B. Patil, APP for respondent, State.

CORAM :- N.W. SAMBRE, J.

DATED :- 21st NOVEMBER, 2016.

P.C. :-

1). The applicant is seeking regular bail in Crime No. 343 of 2016 for offences punishable under Sections 500, 506(2) read with Section 34 Indian Penal Code read with Sections 8, 12 of the Protection of Children from Sexual Offences Act, 2012 read with Section 67(B) of the Information Technology Act. The investigation in the matter is complete. The chargesheet is already filed.

2). The role restricted to the present applicant to the crime in question is that, of videographing the complainant and co-accused in a compromising position.

3). Apart from the above, there is no other active role attributed to the applicant.

4). During the investigation, the alleged video clip was noticed in the mobile of the accused and not the present accused. In view of the above, i.e. the absence of antecedents the age of the applicant i.e. of 19 years and the fact that investigation in the matter is complete, no serious role is attributed to the applicant.

5). Hence, the bail application is allowed. In the event of arrest of the applicant, be released on bail on furnishing P.R. Bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one surety in the like amount.

6). Any two consecutive absence before the learned trial Court, will entail the learned Judge to approach for cancellation of bail.

7). Till the conclusion of trial, the applicant shall not enter the area where the victim is residing.

8). The applicant shall not tamper with the evidence and/or influence the witnesses in any manner whatsoever.

(N.W. SAMBRE, J)