

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

ANTICIPATORY BAIL APPLICATION NO. 2007 OF 2016

Deepak Bandu Lokhande
Versus
The State of Maharashtra

.. Applicant

.. Respondent

Mr. Rahul Kale i/b Devendra D. Pawar, Advocate for the Applicant.
Mr. Deepak Thakare, A.P.P. for the Respondent – State.

CORAM : N.W. SAMBRE, J.

DATED : 22nd NOVEMBER, 2016.

P.C. :

1 Heard learned A.P.P. The applicant is seeking pre-arrest bail in Crime No.335 of 2016 for the offences punishable under sections 363, 376, 354A, 328 r/w. 34 of the I.P.C. and Sections 4, 8, 12 of POCSO Act.

2 Initially the crime was registered against unknown person at the behest of the mother of the victim however subsequently during investigation it was noticed that the applicant's friend Rahul took away the victim girl Akshta and committed rape.

3 The role attributed to the applicant in the commission of crime is that of touching the private parts of the body of Akshta.

4 The perusal of the statement of the victim girl recorded under Section 164 does not even speak of presence of the applicant at the scene

of the crime. There is hardly any material so as to remotely connect the applicant to the crime in question. In view thereof application stands allowed.

5 In the event of arrest, the applicant be released on bail on furnishing P.R. Bond of Rs.25,000/- with one or two sureties in the like amount. The applicant shall attend police station between Monday and Thursday between 10.00 a.m. to 12.00 noon in the two consecutive weeks and thereafter as and when called for. The applicant shall not tamper with the evidence or influence the witnesses.

(N.W. SAMBRE, J.)