

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL BAIL APPLICATION NO.2414 OF 2016

Shehnaz Haroon Sharif	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

.....

Mr. R.R.Paramane, Advocate for the Applicant.
Smt. J.S.Lohokare, APP for the Respondent/State.

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CORAM : N.W.SAMBRE, J.

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DATED : 7th December, 2016.

P.C.

1 The only ground for opposing the regular bail in Crime No.11 of 2016 for the offence punishable under Sections 370((2)(3) of the IPC, Sections 4,8 and 17 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3,4 and 5 of the Immoral Traffic (Prevention) Act is the POCSO provisions are invoked against the applicant.

2 Victim girl namely, Muskan has narrated her age as 15. However, there is hardly any material including her birth certificate, school leaving certificate and ossification test to justify invoking provisions of POCSO against the applicant.

3 Investigation in the matter is complete. Charge-sheet is filed. There are no criminal antecedents. The application needs to be

allowed. Hence, the following order:

(1) The applicant shall be released on her executing PR Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(2) Applicant's failure to attend the Court taking up the trial for two consecutive dates will entail cancellation of her bail.

(3) She shall not tamper with the prosecution evidence and/or influence the prosecution witnesses.

4 Application stands disposed of as allowed.

(N.W.SAMBRE, J.)