

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (BA) NO.345/2016

Mahesh s/o Manohar Alam ..vs.. State of Maharashtra through PSO P. S. Warora,
Dist. Chandrapur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V. N. Morande, Advocate for applicant.
Mrs. Mrunal Naik, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATE : JUNE 15, 2016

Heard learned counsel for the parties.

This is an application for grant of bail. The applicant was arrested on 10.06.2015. The investigation is already over and the chargesheet is also already filed. Though, the injury report is not a conclusive proof of the innocence of the accused in the light of the statement of the prosecutrix, however, looking to the age of the applicant, who is of tender age and since he is languishing in jail from last more than one year and the custodial presence of the applicant is not necessary, he may be released on bail. The interest of the prosecution can be secured by imposing certain condition on them.

In view of above, following order is passed.

ORDER

- (i) Criminal Application No.345/2016 is allowed.
- (ii) Applicant-Mahesh s/o Manohar Alam be released on bail in connection with Crime No.145/2015 registered with Police Station Warora, Dist. Chandrapur for an offence punishable under Section 363, 366-A, 376 (2) (i) (j) of the Indian Penal Code read with Sections 4, 6 and 8 of the Protection

of Children from Sexual Offences Act, on he executing P.R. Bond in the sum of Rs.25,000/- with two sureties in the like amount.

(ii) The applicant shall attend Police Station Warora, Dist. Chandrapur twice in a week i.e. on every Monday and Saturday between 3.00 p.m. and 5.00 p.m. till the trial is over.

(iii) The applicant shall not enter the territorial jurisdiction of village Borda, Tq. Warora, Dist. Chandrapur, where the prosecutrix resides, till the trial is over.

(iv) The applicant shall not extend any kind of threat or allurements, either to the prosecutrix or any of the prosecution witnesses.

JUDGE

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