

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

7 CRIMINAL APPLICATION NO. 1459 OF 2017

GANESH S/O. NAMDEO BHALERAO
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. G.G. Suryawanshi
APP for Respondent/State : Mr. A.A. Jagatkar
...

CORAM : T.V. NALAWADE, J.
DATED : April 13, 2017.

ORDER :

1. The application is filed for bail. Both the sides are heard. The papers of investigation were made available to this Court for perusal.

2. The crime is registered at C.R. No. 11/17 in Waluj Police Station, Aurangabad city for the offences punishable under sections 354 of I.P.C. and under some provisions of Protection of Children from Sexual Offences Act. The crime is registered on the basis of report given by victim girl, who is aged about 14 years. She has contended that the present applicant, who is living in her locality, on 14.1.2017 at about 5.00 p.m. forcibly attempted to kiss her and misbehave with her. The particulars of misbehaviour are given. When the elder persons came out due to shouting, he ran away. There is material to

show that applicant did that act.

3. The learned counsel for applicant submitted that probably the victim girl is not minor as she was married and she has given her age as 19 years in the petition filed for maintenance. This submission cannot be accepted at this stage. In any case, applicant is behind bars from 21.2.2017 i.e. for the period of more than one and half month. In view of nature of allegations and the age of the applicant, this Court holds that opportunity can be given to the applicant to improve and some conditions can be imposed on him to get the bail.

4. In the result, the application is allowed. The applicant is to be released on bail on his furnishing PR and SB of Rs. 30,000/- (Rupees thirty thousand) with one solvent surety of like amount. He is not to tamper with the prosecution witnesses. He is not to commit similar offence. He is not to enter Waluj area till the disposal of the case, which may be filed against him.

[T.V. NALAWADE, J.]

ssc/