

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1734 OF 2017

Manoj @ Mangalsingh s/o. Nanabhau Girase.. Applicant
Age. 23 years, Occ. Driver,
R/o. Tamthare, Tq. Shindkheda,
Dist. Dhule.

Versus

The State of Maharashtra .. Respondent

Mr.N.L. Choudhari, Advocate for the applicant.
Mr.A.A. Jagatkar, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.

DATED : 17.04.2017

P.C. :-

1. This application is filed for bail. Both sides are heard. Previous application filed for anticipatory bail has been rejected. But statement is made that application for bail was not made previously in this Court and this is the first application filed for bail. The charge-sheet is filed. The papers of investigation were made available for perusal.

2. The crime is registered on the basis of report given by a girl aged 16 years. The applicant was working as a driver. When he was passing by the residential place of the victim girl, he used to stare at her. The victim girl questioned the applicant as to why he stares at her. The allegation is made that on 02.01.2016 at

about 01.00 p.m. when the victim girl was standing in the court-yard of the house, the applicant came and asked her to allow him to kiss. When the victim girl refused, the applicant forcibly kissed her and ran away. The allegation is made that on 03.01.2016 at about 02.00 p.m. the applicant again approached her and asked her to come to a place and gave threat that he would defame her. She gave report on 05.01.2016 and crime came to be registered for the offences punishable under sections 354(A)(1)(3), 506 of the Indian Penal Code, under section 3(1)(xi) of the SC & ST (Prevention of Atrocities) Act, section 4(1)(w)(ii) of SC & ST (Prevention of Atrocities) Amended Act, 2015, sections 8,12 of the Protection of Children from Sexual Offences Act, 2012 and under section 7(1)(D) of Civil Rights Act.

3. The submissions made show that the applicant has been behind the bar since 17.02.2017 i.e. for about last two months. The applicant has learnt the lesson. It is not desirable to keep the applicant behind the bar till disposal of the case.

i. In the result, the application is allowed.

ii. The applicant – Manoj @ Mangalsingh s/o. Nanabhau Girase be released on bail, in connection with

Crime No.5 of 2016, registered with Shindkheda Police Station, Dist. Dhule, for the offences punishable under sections 354(A)(1)(3), 506 of the Indian Penal Code, under section 3(1)(xi) of the SC & ST (Prevention of Atrocities) Act, section 4(1)(w)(ii) of SC & ST (Prevention of Atrocities) Amended Act, 2015, sections 8,12 of the Protection of Children from Sexual Offences Act, 2012 and under section 7(1)(D) of Civil Rights Act, on his furnishing PR & SB of Rs.30,000/- (Rupees Thirty Thousand) with one solvent surety in like amount.

iii. The applicant is not to tamper the prosecution witnesses and he is not to commit similar offence.

iv. The applicant is not to enter village Tamthare, Tq. Shindkheda, Dist. Dhule, till disposal of the case, which is filed against him.

[T.V. NALAWADE, J.]