

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 841 OF 2017**

Kiran Raghunath Pabale

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Jaydeep D. Mane for the Applicant

Ms. Rutuja Ambekar, A.P.P for the Respondent-State

API Mr. S. A. Dhage from Karmala Police Station, Solapur Rural, is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 18th APRIL, 2017

P.C. :

1. Heard learned Counsel for the applicant and the learned A.P.P for the State.

2. By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 151 of 2017 registered with the Karmala Police Station, Solapur Rural, for the alleged offences punishable under Sections 354(A), 354(D) r/w 34 of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offences Act.

3. Learned Counsel for the applicant states that the only allegation *qua* the applicant is that he handed over a chit given by the co-accused Samadhan Jadhav to the prosecutrix and asked her to make a telephone call to Samadhan Jadhav. He submits that there are no allegation as regards outraging the modesty of the complainant.

4. Perused the papers. The incident has taken place on 16th March, 2017. The allegations are essentially against co-accused Samadhan Jadhav. Samadhan Jadhav has been released on anticipatory bail. The allegation as against Samadhan Jadhav is that he told the complainant that he liked her and why she was not talking to him. As far as the allegation against the applicant is concerned, the only allegation is that he handed over a chit written by Samadhan Jadhav to the complainant and asked her to call up Samadhan Jadhav. There is no material against the applicant. Considering the aforesaid, the applicant deserves to be enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail, on executing PR Bond in the sum of Rs. 10,000/- with one or two sureties in the like amount;

(ii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(iii) The applicant shall inform his latest place of residence and mobile contact number and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(iv) The applicant to cooperate with the conduct of the trial.

5. The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.