

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPTORY BAIL APPLICATION NO. 782 OF 2017**

Aniket Balasaheb Ghodake

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Abhijit B. Kadam for the Applicant

Mr. S. S. Hulke, A.P.P for the Respondent-State

PSI Ms. Archana Dayal from Chakan Police Station, Pune, is present

CORAM : REVATI MOHITE DERE, J.
TUESDAY, 6th JUNE, 2017

P.C.

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. 317 of 2017 registered with the Chakan Police Station, Pune, for the alleged offences punishable under Sections 354(A) (1), 354(D), 341, 504, 506 of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The allegations as against the applicant is that on 24th March, 2017, when the victim girl and her friends were returning from College, the applicant made some indecent comments and went away. Thereafter, the applicant stopped at the shop and when the girls came near the shop, he proceeded on a motorcycle near the victim girl. Near the medical shop, the applicant restrained the girl from proceeding to her house. He alighted from the motorcycle and rushed towards the girl and abused her. After abusing her, the applicant left the said spot. All the offences under the Indian Penal Code are bailable, except Section 8 of the POCSO.

4. Learned A.P.P does not dispute the aforesaid facts. He submits that the incident has taken place during the school timings of the victim girl. The applicant is aged about 20 years and the complainant about 17 years.

5. In the peculiar facts of this case, custodial interrogation of the applicant is not necessary. Accordingly, the applicant is granted pre-arrest bail, on the following terms and conditions :

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
 - (ii) The applicant shall report to the Investigating Officer of the concerned Police Station on every Thursday and Friday from 10:00 a.m. to 12:00 noon, till the filing of the charge-sheet;
 - (iii) The applicant shall not tamper with the evidence or attempt to influence the complainant, witnesses or any person concerned with the case;
 - (iv) The applicant shall cooperate in the conduct of the trial.
6. The application is allowed in the aforesaid terms and is accordingly disposed of.
7. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.
8. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.