

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.820 OF 2017

Parth Atul Laghate ...Applicant
Versus
The State of Maharashtra ...Respondent

Mr. Nileseh Tribhuvan and Prerna Sharma for the applicant.
Ms.J.S.Lohakre, APP for the State.
API Pravin Jadhav Bangurnagar Police Station.

CORAM: A.M. BADAR, J.
DATED: 6th NOVEMBER, 2017

PC:-

1. By this application, the applicant/accused in crime No.39 of 2017 for the offences punishable under Sections 354-A(1)(II) and 500 of the Indian Penal Code as well as under Section 8 and 12 of Prevention of Children from Sexual Offences (POCSO) is seeking his pre-arrest bail.

2. Heard the learned advocate appearing for the applicant/accused

3. He argued that even after lodging FIR the first informant is dating with the present applicant and their relationship is continued.

4. The learned APP is opposing the application by contending that though the applicant is enjoying liberty by virtue of the interim order passed by this Court, he is not co-operating the events and his house was also found to be locked.

5. I have carefully considered the rival submissions and also perused the papers of investigation. The prosecution has invoked provisions of Section 354-A as well as Section 500 of the Indian Penal Code. The learned APP fairly considered the fact that both these sections are bailable in nature. So far as Section 8 and 12 of the POCSO is concerned, the victim herself has stated her age as 20 years. The learned APP is not in a position to point out any material

to infer that alleged victim of the crime in question was a female child at the time of commission of the alleged offence.

6. In this view of the matter, the following order.

ORDER

- i) The order dated 4th May 2017 granting ad-interim anticipatory bail to the applicant is confirmed on some terms and conditions.
- ii) In addition to this, the applicant/accused should not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to the court or to the Police Officer.
- iii) The applicant should attend the concern police station on 8th November 2017 in between 11.00 a.m. to 1.00 p.m. and he should co-operate the Investigating officer.
- iv) The application is disposed of accordingly.

(A.M. BADAR, J)