

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 978 OF 2017**

Samadhan Saudagar Jadhav

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Piyush Toshnival i/b Mr. Sachin Zalte for the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

PSI Mr. G. K. Shinde from Karmala Police Station, Solapur, is present.

CORAM : REVATI MOHITE DERE, J.
FRIDAY, 14th JULY, 2017

P.C.

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

3. Learned Counsel for the applicant submitted that the allegations as against the applicant are that he would follow the complainant aged 16 years, attempt to talk to her, and would stand outside her house, look at her, smile and make gestures. He submitted that there are no allegations that the applicant either touched or abused her.

4. Learned A.P.P does not dispute the nature of allegations against the applicant.

5. Perused the papers. It appears that the applicant was attempting to talk to the complainant, aged 16 years, and would stand outside her house, smile and make gestures.

6. In the peculiar facts of this case, custodial interrogation of the applicant is not required. Accordingly, application is allowed and 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. 20,000/- 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 Monday from 10:00 a.m. to 11:00 a.m. till the filing of the charge-sheet or for a period of three months whichever is earlier, and thereafter on the first Monday of every month from 10:00 a.m. to 11:00 a.m. till the conclusion of the trial;

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

(iv) The applicant shall not go anywhere close to the complainant's or commit a similar offence;

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

7. The application is accordingly disposed of.

8. It is made clear that the observations made herein are *prima facie*, for the purpose of deciding this application.

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

REVATI MOHITE DERE, J.