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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 2438 OF 2017

Nikhil Kisan Deshmukh

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Manoj Patil for Applicant.

Mr. S.R. Agarkar, APP for the Respondent/State.

Mr. N.D. Chavan, P.S.I., Pali Police Station, Raigad present.

CORAM : A.S.GADKARI, J.

DATE : 31st OCTOBER, 2017

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 92 of 2017 dated 03.10.2017 registered with Pali Police Station, District- Raigad under Section 354, 341, 506 of the Indian Penal Code and under Sections 7 and 8 of the Protection of Children from Sexual Offences Act (POCSO Act).

2] The first information report is lodged by the minor victim girl aged about 16 years and three months. With a view to protect the identity of the victim girl and in consonance with the provisions of Section 228(A)

of the Indian Penal Code, detailed narration of facts mentioned in the first information report and in the statements of the witnesses is hereby avoided.

3] It is the prosecution case that, on 30.9.2017 at about 11.30 p.m the applicant outraged modesty of the first informant by holding her hand and tried to pull her and thereafter threatened her not to disclose the said fact to anybody. The applicant is arrested on 5.11.2017 and since then he is in jail. The applicant is aged about 21 years.

4] After taking into consideration the allegation against the applicant, this Court is of the view that further incarceration of the applicant is not necessary and the applicant can be released on bail.

Hence the following Order:

(i) The applicant be released on bail in CR No. 92 of 2017 ali Police Station, District- Raigad on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(ii) After his release from the jail, the applicant shall attend the concerned Police Station every Monday between 10.00 a.m. to 12.00 noon till filing of final report/chargesheet.

(iii) Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.

5] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)