

Dond

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

BAIL APPLICATION NO. 2681 OF 2017

Aniket Vinod Kamble

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. Debajyoti Talukdar for Applicant.

Mr. N.B. Patil, APP for the Respondent/State.

CORAM : A.S.GADKARI, J.

DATE : 29th NOVEMBER 2017

P.C.:

1] This is an application under Section 439 of Cr. P.C. for bail in CR No. 502 of 2017 dated 15.10.2017 registered with Pune City Police Station, District- Pune under Sections 363, 354 of the Indian Penal Code and under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).

2] With a view to protect the identity of the victim girl who is a minor 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] Perused the record of investigation and the statement of the victim girl recorded by the police.

Prima facie, it appears that the applicant is in acquaintance with the parents of the victim girl and it is the victim girl who insisted the applicant for celebration of her birthday and after celebrating her birthday, the victim girl requested the applicant drop her at her residence. That during the travel, the victim girl started feeling giddiness and therefore she sat on the rear seat of the car of the applicant. That the applicant touched her to see whether she was conscious. It appears that apart from touching victim girl at her hand and waist, no other overt-act is attributed to the applicant. It further appears that the present crime is registered due to misunderstanding by the parents of victim girl.

4] In view of the above, the applicant can be released on bail.

Hence, the following Order:

(i) The applicant be released on bail in CR No. 502 of 2017 registered with Pune City 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 jail, the applicant shall attend the concerned Police Station as and when called for between 10.00 a.m.

to 1.00 p.m and to join the process of investigation till filing of 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.)