

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO. 461 OF 2017**

(PRASHANT S/O SURESH NAFDE...VS.. STATE OF MAH. THR. P.S.O. PS KOTWALI. DIST.NAGPUR )

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
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Court's or Judge's orders

Shri A. S. Band, Advocate for Applicant.  
Shri N. R. Patil, A.P.P. for Non-applicant.

**CORAM : Z.A.HAQ, J.**

**DATED : 1<sup>st</sup> JULY, 2017.**

Heard.

The applicant is arrested on 7<sup>th</sup> May, 2017 in connection with crime registered against him for the offences punishable under Sections 376(2)(i) and 376(2)(j) of the Indian Penal Code and Sections 3(B), 4 and 8 of the Protection of Children from Sexual Offences Act, 2012.

The crime is registered on the complaint lodged by Shakera Akhtar that the applicant has sexually assaulted 4 year old daughter of complainant by putting his finger in the private part of the victim. The report about the incident alleged to have taken place on 26<sup>th</sup> April, 2017 is lodged on 30<sup>th</sup> April, 2017. The Medico Legal Examination Report does not give conclusive opinion and in my view, it would not be proper to make any observation regarding the same at this stage.

The applicant, aged about 49 years, claims that he is working as Senior Lecturer at a training center and is not

involved in any other crime/offence. The applicant is in custody for almost seven weeks. The non-applicant has not been able to point out that further custody of the applicant is required for investigation.

In the facts of the case, following order is passed :

The applicant having been arrested in connection with the Crime No.62 of 2017 registered by the non-applicant, he be released on bail on executing P. R. Bond of Rs.25,000/- and furnishing two solvent sureties in the like amount.

The application is **allowed** in the above terms.

**JUDGE**

PBP