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

ANTICIPATORY BAIL APPLICATION NO.2437 OF 2018

Sangram Shivaji Mali & Anr

..Applicants

Vs

The State of Maharashtra

..Respondent

Mr. R.A. Naik I/b Mr. Umesh R. Mankapure for applicants.

Ms. J.S. Lohokare, APP for State.

Mr. R.R. Salunkhe, P.H.C., Kadegaon Police Station, Sangli present.

CORAM : A.S.GADKARI, J.

DATE : 28th November 2018.

P.C.:

1] The applicant is apprehending arrest in CR No. 199 of 2018 dated 26.10.2018 registered with Kadegaon Police Station, District- Sangli under section 354, 354D of the Indian Penal Code and under sections 11(1), 11(4) and 12 of Protection of Child from Sexual Offences Act (POCSO Act).

2] Heard the learned Counsel for the applicant and the learned APP. Perused the record of investigation.

3] The first information report is lodged by the minor victim girl aged about 16 years and with a view to protect her identity and in

consonance with the provisions of Section 228(A) of the Indian Penal Code and Section 33(7) of the Protection of Children From Sexual Offences Act (POCSO Act), the detailed narration of the facts mentioned in the first information report and other relevant statements is hereby avoided.

4] The prosecution case in brief is that, accused No.1 Vijay Khude along with other three accused persons used to pass lewd comments against the prosecutrix when she had been to her college. The accused repeatedly committed the said act and therefore the prosecutrix informed the said fact to her father. In the premise the first information report is lodged.

5] The record of investigation indicates that, accused Vijay Khude and Mahesh Bhosale have been arrested by the police and Vijay has been released on bail. The record indicates that, the applicant No.2 Akshaykumar Pol has been named as Ajay Bakeriwala in the first information report and the name of applicant No.1 Sangram Mali is not appearing therein. It appears that the applicants herein have no direct role to play in the present crime.

6] After perusal of the record of investigation, this Court is of the view that the applicants can be protected by pre-arrest bail.

Hence the following Order:-

i] In the event of arrest in CR No. 199 of 2018 registered with the Kadegaon Police Station, District- Sangli, the applicants be released on bail on their furnishing PR bond in the sum of Rs.15,000/- each with one or two separate local sureties in the like amount.

ii] Applicants shall attend the Investigating Officer as and when called for after receipt of notice in writing from the concerned Investigating Officer till submission of final report.

iii] Applicants shall not tamper with the evidence and/or influence the prosecution witnesses.

7] Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)