

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO.595 OF 2018

Ajit Baliram Ahir & Ors.
vs.
The State of Maharashtra

..Applicants
...Respondent

Mr. Raju D. Suryawanshi for Applicants.
Mr. S. Agarkar, APP for Respondent.
Mr. D. C. Sahane, PC, Karjat Police Station.

**CORAM : P. N. DESHMUKH, J.
DATE : 12th APRIL, 2018**

P.C.:

. Heard learned counsel for applicants and learned APP. Perused case diary. Applicants are inter se real brothers had sought anticipatory bail in C.R.36/2018 registered with Karjat Police Station for the offence punishable under sections 324, 323, 504, 506, 143, 144, 147, 148, 149, 354-A (3) of IPC and under section 11(iv) read with section 12 of POCSO Act.

2. Applicant No.3-Anil Baliram Ahir is protected by interim order dated 27/3/2018 noting that there is no role attributed to said applicant in the FIR nor in the statement of prosecutrix and her minor friend. Learned counsel for applicants submits that they are apprehending arrest in crime which is falsely registered against them as even on considering statement of prosecutrix and incident which is alleged by her it is revealed that whenever prosecutrix used to return from school along with her minor friends applicant along with co-accused Sunil harass them by coming there on their motorcycle and use to touch them inappropriately on their head and whistled towards them. However, prosecutrix did not disclose said fact

till 27/12/2018 when there was quarrel amongst co-accused Sunil his brother and their parents with complainant. Perusal of report of prosecutrix is only about nature of involvement of applicants in harassing her and her friends as aforesaid. In the report though it is stated that on this count some quarrel took place when applicant No.1 and 2 were armed with stick, and accused No.3 armed with sickle. Neither of the applicants are attributed with any assault except for their extending threats, and applicants parents viz., Baliram and Aruna are attributed of abusing complainant who are already on bail.

3. Considering involvement of applicants as aforesaid, following order is passed:

ORDER

- I) Interim protection granted to applicant No.3-Anil Baliram Ahir as aforesaid stands confirmed on same terms and conditions;
- ii) In the event of arrest of Applicant No.1 and Applicant No.2 they be released on bail on their executing P. R. Bond in the sum of Rs.25,000/- each with one surety each in the like amount;
- iii) Applicant Nos.1 to 3 shall attend Investigating Officer as and when called till filing of charge-sheet;
- iv) Application is disposed of on the above terms.

(P.N. DESHMUKH, J)