

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

**BAIL APPLICATION NO. 842 OF 2017**

|                                    |                       |
|------------------------------------|-----------------------|
| Haiderali @ Raju Ruhul Amin Shaikh | ... <b>Applicant</b>  |
| V/s.                               |                       |
| The State of Maharashtra           | ... <b>Respondent</b> |

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Ms. Afshan G. for the Applicant.  
Mr. S.S. Hulke, APP for the Respondent/State.

**CORAM : A.S.GADKARI, J.**  
**DATE : 24<sup>th</sup> FEBRUARY, 2018**

**P.C.:**

. This is an application under Section 439 of Cr.P.C. for bail in C.R. No. 472 of 2016 dated 27.10.2016 registered with Wadala T.T. Police Station, Mumbai under Sections 376 of the Indian Penal Code and Sections 4 and 8 of the Protection of Children from Sexual Offences Act, 2012.

2 Heard the learned Counsel for the Applicant and the learned APP. Perused the charge-sheet.

The first information report is lodged by mother of the victim girl. The victim girl was aged about 17 years on the date of alleged offence. With a view to protect the identity of the victim girl who is minor and in consonance with the provisions of Section 228-A of the IPC, the detailed narration of facts mentioned in the first information report and in the statement of victim girl are hereby avoided.

3 It is the prosecution case that on the date and time of incidence the Applicant under deceit took the victim girl at a corner and thereafter, touched her private part. The statement of victim girl is also recorded under Section 164 of Cr.P.C. During the course of investigation, the Applicant came to be arrested on 27.10.2016 and after completion of investigation, the police have submitted charge-sheet.

4 Apart from the afore stated fact, there is no other overt act attributed to the Applicant. The Applicant is in jail since 27.10.2016. In view thereof, the Applicant can be released on bail.

Hence, the following order:

i) The applicant be released on bail in C.R. No. 472 of 2016 dated 27.10.2016 registered with Wadala T.T. Police Station, Mumbai 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 on every first Monday of the month between 11.00 a.m. to 2.00 p.m.

iii) The applicant shall also attend all the dates before the Trial Court.

iv) The Applicant shall not tamper with the evidence and/or pressurize or threaten the prosecution witnesses.

v) Application is allowed in the aforesaid terms.

**(A.S.GADKARI, J.)**