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

CRIMINAL BAIL APPLICATION NO. 1430 OF 2017

Jagjitsingh Swarnasingh Tinna	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.Pawan Mali i/b Mr.P.S.Thombre, for the Applicant.

Ms.P.N.Dabholkar, A.P.P for the Respondent-State.

CORAM : REVATI MOHITE DERE, J.

DATE : 15th MARCH, 2018

P.C. :

1. Heard learned Counsel for the parties.
2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No. I-147 of 2017 registered with the Thanenagar Police Station, for the alleged offences punishable under Sections 354, 354(a), 1(4), 504, 506, 323, 509, of the Indian Penal Code and under Sections 7, 8, 9(1),(s), 11(1), 12, 16, 17 and 18 of Prevention of Children from Sexual Offences Act.

3. Learned APP opposed the application.
4. Perused the papers. It appears that with respect to the incident dated 29th July, 2017, there are cross NCs' registered by both the sides. The incident in question has taken place on 29th July, 2017 in the Court premises. There is a police constable, who is an eye-witness to the said incident. The said witness has stated that she separated the applicant and the complainant in the quarrel that took place between them. The applicant had also sustained some injuries i.e. vertical linear abrasion over left side of temporal scalp, abrasion over left side of eye and over right wrist.
5. In the peculiar facts of this case, custody of the applicant is not warranted. Accordingly, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :-

ORDER

- (i) In the event of the arrest, the applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.25,000/-, with one or two sureties in the like amount ;
- (ii) The applicant shall report to the Investigating Officer of the

concerned Police Station as and when called, till the filing of the charge-sheet,

(iii) The applicant shall not contact the complainant, witnesses or any person concerned with the case;

(iv) The Applicant shall co-operate with the Investigating Agency.

6. The Application is allowed in the aforesaid terms and is accordingly disposed of.

7. It is made clear, that the observations made herein are *prima facie* and are confined to this application.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)