

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

ANTICIPATORY BAIL APPLICATION NO. 1850 OF 2018

Karan Ravindra Bandekar	... Applicant
Vs.	
State of Maharashtra	... Respondent

...

Mr. Milan Desai a/w Mr. Akram Shaikh I/by Mr. T.R. Patel for the applicant.
Mrs. G.P. Mulekar, APP for the Respondent-State.

...
CORAM : PRAKASH D. NAIK, J.
DATE : 11th SEPTEMBER, 2018.

P.C.

1. This is an application for anticipatory bail in connection with C.R. No. 457 of 2018 registered with Goregaon Police Station for offences punishable under Sections 452, 354, 323, 504 read with 34 of Indian Penal Code.
2. The applicant had preferred an application for anticipatory bail before the Sessions Court which has been rejected. The case of the applicant is that on 23rd August, 2018 and 24th August, 2018 he was standing in the compound of the building and talking to a girl. At that time, the mother, brother and maternal uncle of said girl came there and abused the applicant. He was assaulted by fist and kick blows. The applicant thereafter lodged the First Information Report with Goregaon Police Station vide CR No. 458

of 2018 under Section 324, 323, 504 read with Section 34 of Indian Penal Code.

3. The case of the prosecution is that on 24th August, 2018 at about 12.30 hours, the applicant had entered in the house of the complainant in inebriated condition. He manhandled the victim girl and her brother and thereafter pushed them and fled from the house. It is alleged that applicant had touched the daughter of the complainant and committed act of outraging her modesty. While running from the house, he fell down and sustained injury. Hence FIR vide CR No. 457 of 2018 under Section 452, 354, 323, 504 read with 34 of Indian Penal Code.

4. Learned advocate for the applicant submitted that he has been falsely implicated in this case. Applicant was assaulted by the victim's brother and maternal uncle in that regard he has lodged first information report. The allegations are that applicant touched the daughter of the complainant is totally false. It is submitted that if the applicant was in inebriated condition he would not have approached Police Station. His complaint has been registered by police.

5. Learned APP submitted that there are cross-cases registered by both the parties. Both the FIRs are under investigation.

6. Looking into the nature of allegations made in the first information report registered against the applicant and the cross FIR lodged at the instance of the applicant, the applicant can be directed to report the police station and co-operate with the investigation with protection under Section 438 of Code of Criminal Procedure.

ORDER

- i) Anticipatory Bail Application No. 1850 of 2018 is allowed.
- ii) In the event of arrest of the applicant in connection with C.R. No. 457 of 2018 registered with Goregaon Police Station, the applicant be released on bail on furnishing PR bond of Rs.20,000/- (Rs. Twenty Thousand) with one or more sureties in the like amount;
- iii) The applicant shall report the Investigating Officer of the concerned Police Station once in a week on Friday between 10 a.m. to 12 noon till further order;
- iv) Applicant shall not enter into residential premises of complainant and her daughter.

- v) The applicant shall not tamper with the evidence and/or influence the prosecution witnesses;
- vi) Application stands disposed off.

Sachidanand
Kuttan Nair

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(PRAKASH D. NAIK, J.)