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

CRIMINAL BAIL APPLICATION NO. 2680 OF 2018

Rahulkumar Swaminath Kori

.....Applicant

V/s.

The State of Maharashtra

.....Respondents

Mr. Sandeep Mishra for the Applicant

Mr. Arfan Sait APP for the State

Mr. Suhas Hattekar, Vartak Nagar Police Station

CORAM : NITIN W. SAMBRE, J.

DATE : 19th NOVEMBER, 2018.

P.C.

The Applicant came to be charge-sheeted in crime no. I-15 of 2018 for an offence punishable under Sections 363, 354 (a) r/w 34 of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act (POCSO). The Applicant was arrested on 19/01/2018.

2 The perusal of the charge-sheet reveals that the Applicant not named to be a person directly involved in the crime in question. The statement of the victim girl recorded under section 164 of Code of Criminal Procedure, 1973, medical reports and the statement of the landlord of the present

Applicant if appreciated, the necessary ingredients under Sections 363, 354 (A) of the Indian Penal Code, *prima facie* are not satisfied.

3 That being so, in my opinion, the Applicant deserves to be released in crime no. I-15 of 2018 registered at Vartak Nagar Police Station for offence punishable under Sections 363, 354 (a) r/w 34 of the Indian Penal Code and Section 8 of the POCSO upon executing P.R. Bond in the sum of Rs. 15,000/- with one surety in the like amount. The Applicant shall not influence or tamper the evidence. The Applicant shall not enter the jurisdiction of the Vartak Nagar Police Station till the conclusion of the trial as the charge is already framed. Upon two consecutive defaults in personal appearance of the Applicant before the learned Trial Court, the learned Trial Court shall take out proceedings of cancellation of bail. The Applicant shall furnish his contact number, address where he will be residing during the trial in Bombay so also his native place to the learned Trial Court.

4 The Application stands disposed of.

[NITIN W. SAMBRE, J.]