

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINALBAIL APPLICATION NO.2726 OF 2018

Aman Dhanaji Bhoite, Age 19 years, Occ.Student, R/o.Gautam Nagar, Sakivihar, Post Nitie, Powai, Mumbai-400 087.	Applicant
versus	
The State of Maharashtra	Respondent

Mr.Sanjeev Kadam I/by Prashant Badole for applicant.
Mr.A.R.Kapadnis, APP, for State.
Mr.D.B.Raiwade, PSI, Powai Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 6th December 2018

PC :

1. This is an application for bail. The applicant is arrested on 10th June 2018 in connection with CR No.301 of 2018 registered with Powai Police Station for offences under Sections 354, 354-D, 324, 341, 504, 506 of Indian Penal Code and under Sections 8 and 12 of Protection of Children from Sexual Offences Act.

2. The victim is aged about 16 years. It is alleged that in May-2018 the applicant who is also residing in the same vicinity had outraged her modesty. Subsequently on 10th June 2018 the applicant had threatened the victim and when the mother of the victim tried to convince, she was assaulted by plastic pipe.

3. Learned counsel for applicant submits that the victim is student aged about 20 years. It is submitted that the victim and the applicant were in relationship. False case has been registered against

the applicant. It is further submitted, on instructions, that the applicant is willing to stay out of Mumbai.

4. Learned APP submitted that the applicant-accused has indulged in the act of outraging modesty and had subsequently threatened the victim of dire consequences. He is also stalking her repeatedly and there is every likelihood that the applicant would cause trouble to the victim.

5. The alleged incident had occurred in May-2018 and June-2018. The alleged offence relates to outraging modesty of victim. The applicant was arrested on 10th June 2018 and since then he is in custody. The applicant is 12th standard student. It is also submitted by the advocate for applicant that the applicant shall reside at Radhanagari, District Kolhapur and pursue his studies and would not contact the victim and her family members. The statement is accepted as an undertaking to the Court.

6. Considering the aforesaid circumstances, on certain conditions, bail can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.2726 of 2018 is allowed and disposed off;
- (ii) The applicant is directed to be released on bail in connection with CR No.301 of 2018 registered with Powai Police Station, on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall stay out of Mumbai till conclusion of trial

and shall enter Mumbai only for the purposes of attending the Trial Court proceedings on the date of hearing of the case;

(iv) The applicant shall attend Trial Court proceedings regularly, unless exempted by the Trial Court for some reason ;

(v) The applicant shall not tamper with the evidence and shall not approach and/or contact the victim and her family members during pendency of the trial;

(vi) The applicant shall furnish details of his place of residence after he is released on bail to the investigating officer of Powai Police Station;

(vii) The applicant is permitted to furnish cash security in the sum of Rs.20,000/- for a period of four weeks.

(PRAKASH D. NAIK, J.)

MST