

Anand

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

BAIL APPLICATION NO. 2647 OF 2017

Vinod Chandu Ugareja alias .Applicant
Kadnaj Waghari

Vs.

The State of Maharashtra .Respondent

Mr. C. J. Chauhan, Advocate, for the Applicant
Ms Pallavi Dabholkar, APP, for the Respondent – State

CORAM : REVATI MOHITE DERE, J.

DATE : 19.03.2018

P.C.

. Heard learned counsel for the parties.

2. By this Application, the Applicant seeks his enlargement on bail in connection with C. R. No. 285 of 2017 registered with the Dahisar Police Station, Mumbai, for the alleged offences punishable under Sections 354(A) & 452 of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act (for short 'POCSO').

3. Perused the charge-sheet. According to the Complainant

(mother of the victim girl), her daughter aged 15 years was at home when the alleged incident took place on 13.07.2017. She has alleged that the Applicant, her neighbour entered their house, when the Complainant's daughter was alone, held her left hand and put his other hand on her mouth so that she could not scream and told her that he had taken a video of her and one another person. She has further alleged that the Applicant while leaving the house, touched her inappropriately and ran out of the house.

4. Learned counsel for the Applicant submits that the Applicant is ready to reside outside the jurisdiction of the Dahisar Police Station, Mumbai till the conclusion of the trial, so that there is no question of the Applicant interacting with the Complainant. The Applicant is in custody since July, 2017. Investigation is complete and charge-sheet is filed.

5. Considering the aforesaid, the Application is allowed and the Applicant is enlarged on bail on the following terms & conditions :-

ORDER

(i) The Applicant be enlarged on bail, on executing PR Bond in the sum of **Rs. 20,000/-** with one or two sureties in the like amount;

(ii) The Applicant shall report to the investigating officer of the concerned Police Station on the **first Sunday of every month** between **10:00 a. m. and 11:00 a. m.** till the conclusion of the trial;

(iii) The Applicant shall not enter the jurisdiction of the Dahisar Police Station, Mumbai except for the purpose of attending the concerned police station as aforesaid;

(iv) The Applicant shall not tamper with the evidence, intimidate or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

(v) The Applicant shall inform his latest place of residence and mobile contact number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the concerned Police Station;

(vi) The Applicant to cooperate with the conduct of the trial;

(vii) The Applicant shall file an undertaking with regard to Clauses (ii) to (vi), in the trial Court, within two weeks of his release;

(viii) If there is a breach of any of the aforesaid conditions, the prosecution shall be at liberty to seek cancellation of the applicant's bail.

6. The Application is allowed in the aforesaid terms and is

accordingly disposed of.

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

(REVATI MOHITE DERE, J.)