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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2877 OF 2018

Deepak Kanta Rai ..Applicant.

V/s.

The State of Maharashtra ..Respondent.

Mr.Vishal V.Ingawale for the applicant.

Mr.S.I.Agarkar APP for the respondent-State.

CORAM: NITIN W.SAMBRE, J.

DATE : NOVEMBER 19, 2018

P.C.:-

Heard learned counsel for the applicant and learned
APP.

2. In Crime No.43/2018 for offences punishable under section 354 and 509 of the Indian Penal Code and sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) registered with Parksite police station, Mumbai, the applicant came to be arrested on January 21, 2018

and is charge-sheeted.

3. It is the case of the prosecution that the applicant-accused was running private coaching classes which was attended by the victim girl along with other children. It is alleged that during the said period, the applicant has committed the offence punishable under section 354 of the Indian Penal Code and under section 8, 10 and 12 of the POCSO Act.

Perused the entire charge-sheet particularly in the background of allegations against the present applicant. Considering the punishment prescribed for the offence punishable under sections 354 and 509 of the Indian Penal Code and under sections 8, 10 and 12 of the POCSO Act, nature of allegations against the applicant and the fact that the applicant is beyond bars for at-least a year, it will be appropriate, in my opinion, to order release of the application on bail on following conditions.

- i) The applicant be released in Crime No.43/2018 for offences punishable under section 354 and 509 of the Indian Penal Code and sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012 registered with Parksit

police station, Mumbai on his furnishing P.R. bond of Rs.15,000/- with two sureties in the like amount;

- ii) The applicant volunteers that he shall not enter the jurisdiction of Parksite police station, Mumbai till the conclusion of trial;
- iii) The applicant shall not influence the witness or tamper with the prosecution evidence;
- iv) The application is disposed of accordingly.

(NITIN W.SAMBRE, J.)