

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

BAIL APPLICATION NO.2916 OF 2017

Manoj Rochaldas Hinduja

... Applicant

V/s.

The State of Maharashtra

... Respondent

Mr. M.U. Kazi for the Applicant.

Smt. J.S. Lohokare, APP for the Respondent State.

CORAM : A.S.GADKARI, J.

DATE : 22nd JANUARY 2018

P.C.:

1. This is an application under Section 439 of the Cr.P.C. for bail in CR No.I-132 of 2017 dated 17.05.2017 registered with Central Police Station, Ulhasnagar under Sections 376(2)(G), 420 of Indian Penal Code r/w. Sections 4 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is the prosecution case that, the applicant by giving promise to marry to the first informant who was minor on the date of incident i.e. in July 2016, established physical relationship with her. That, on 16.05.2017 the first informant gave birth to a still born baby girl. That,

the applicant subsequently resiled from his promise to marry with the informant and in the premise the first information report is lodged.

3. The Investigating Agency has conducted DNA test on the said baby of the first informant Bhavna Nenwani and the Forensic Science Laboratory has given a report that, the applicant is excluded to be the biological father of the baby of Bhavna i.e. informant.

4. In view thereof, the applicant can be released on bail.

5. Hence, the following order.

(a) The applicant be released on bail in CR No.I-132 of 2017 dated 17.05.2017 registered with Central Police Station, Ulhasnagar on his furnishing PR bond of Rs.25,000/- with one or two solvent local sureties in the like amount.

(b) After his release from Jail, the applicant shall attend the concerned Police Station on every first Monday of the month between 11.00 a.m. to 1.00 p.m.

(c) The applicant shall attend all the dates before the Trial Court unless precluded on medical reasons.

(d) The applicant shall not tamper with the evidence and/or pressurize the prosecution witnesses.

6. Application is allowed in the aforesaid terms.

(A.S.GADKARI, J.)