

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.550 OF 2019

Fulman Sadik Yadav, Age 80 years,
R/o.Room No.215, Shakti SRA, Shakti
Complex, Building No.2, Shakti Nagar,
Malvani, Mumbai.

Applicant

versus

The State of Maharashtra

Respondent

Mr.Karmarkar I/by Karmarkar & Associates for applicant.

Mrs.G.P.Mulekar, APP, for State.

Ms.Trupti A. Patil, PSI, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 20th February 2019

PC :

1. The applicant is seeking bail in CR No.35 of 2019 registered with Charkop Police Station for offences under Sections 354, 354(A) of Indian Penal Code and under Sections 10 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. The applicant was arrested on 24th January 2019. The complaint was lodged by the grand mother of victim. It is alleged that the victim aged about 10 years, was proceeding on road. The accused had followed her and pressed her buttocks. The complainant cried for help and thereafter the applicant was apprehended. The FIR was lodged. Investigation had proceeded. Statements of witnesses were recorded. The statement of victim child was also recorded.

3. Learned APP submits that there are eye witnesses to the incident. Investigation is completed and charge sheet is presented before the Trial Court. Learned counsel for applicant submits that the applicant is senior citizen aged about 80 years. He is in custody from the date of arrest.

4. The applicant has been alleged to have outraged modesty of the victim. He is senior citizen. He is in custody from 24-1-2019. Investigation is completed and charge sheet is presented before the Court. Considering the aforesaid circumstances more particularly age of the applicant, bail can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.550 of 2019 is allowed and disposed off;
- (ii) The applicant is directed to be released on bail in connection with CR No.35 of 2019 on furnishing PR bond in the sum of Rs.20,000/- with one or more sureties in the like amount;
- (iii) The applicant shall report Charkop Police Station once in three months on first Monday of the month between 11 am and 1 pm;
- (iv) The applicant shall not tamper with evidence and shall attend Trial Court proceedings regularly, unless exempted by Trial Court for some reason;
- (v) The applicant is permitted to furnish cash security of Rs.20,000/- for a period of eight weeks.

(PRAKASH D. NAIK, J.)