

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

CRIMINAL BAIL APPLICATION NO. 654 OF 2019

Hafiz Abdul Rahim ... Applicant

Versus

The State of Maharashtra ... Respondent

Mr. Faizaan Qureshi I/by Khan Ishrat Ali Azhar Ali for Applicant.

Mr. M. G. Patil, APP for Respondent – State.

CORAM : NITIN W. SAMBRE, J.

DATE : FEBRUARY 27, 2019.

P.C. :

. The Applicant is seeking regular bail in Crime No. 373 of 2018 for an offence punishable under Sections 324, 323, 504 of Indian Penal Code, Sections 8 & 12 of the Protection of Children from Sexual Offences Act and Section 75 of Juvenile Justice Act. The Applicant is arrested on 27th July 2018.

2. Apart from the fact that the investigation in the matter is already over, there are no criminal antecedents against the present Applicant. The maximum punishment provided under the provisions of

POCSO Act is that of five years. Majority of the students of Yatim Khana has not supported the case of the prosecution, particularly about allegations under the provisions of Protection of Children from Sexual Offences Act.

3. That being so, a case for grant of bail is made out. Hence, the following order.

ORDER

- (A) The Applicant be released on bail in Crime No. 373 of 2018 for an offence punishable under Sections 324, 323, 504 of Indian Penal Code, Sections 8 & 12 of the Protection of Children from Sexual Offences Act and Section 75 of Juvenile Justice Act on executing PR bond of Rs.25,000/- with one surety in the like amount.
- (B) The Applicant shall neither tamper the evidence of prosecution witnesses nor influence the prosecution witnesses.
- (C) Till conclusion of trial, the Applicant shall keep himself away from the jurisdiction of police station and shall not enter in the said Yatim Khana.
- (D) The Applicant shall give regular attendance before the trial Court.

4. Criminal Bail Application stands disposed of accordingly.

(NITIN W. SAMBRE, J.)