

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1671 OF 2019**

Rehan Abdul Rehman Ansari

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. B. D. Joshi a/w Mr. Girish Pariyani I/b A & G Legal Associates LLP for
the Applicant

Ms. P. P. Shinde, A.P.P for the Respondent-State

PSI Mr. Sajjan Landge from Oshiwara Police Station is present

CORAM : REVATI MOHITE DERE, J.
WEDNESDAY, 26th JUNE 2019

P.C. :

1 Heard learned counsel for the parties.

2 By this application, the applicant seeks his enlargement on bail
in connection with C.R. No. 521 of 2018 registered with the Oshiwara
Police Station, Mumbai, for the alleged offence punishable under Section
354 of the Indian Penal Code and under Sections 8 and 11 of the Protection
of Children from Sexual Offences Act.

3 Perused the papers. The applicant was conducting coaching tuition classes at Behrambaug, Jogeshwari, Mumbai. The victim girl aged 16 years studying in Standard X, was attending the said coaching classes run by the applicant.

4 According to the complainant, the applicant asked her to give copy of Aadhar card, two photos and Leaving Certificate on 19th November 2018, however, she could not go on the said date. She has stated that on the next day i.e. on 20th November 2018, the applicant asked the complainant/victim girl and her friend to attend the office. She has stated that as her friend submitted the documents, she was asked to return to her class and the complainant was asked to stay back. She has alleged that the applicant touched her inappropriately, as a result of which, her modesty was outraged.

5 The applicant is in custody since 21st November 2018. The girl's 164 statement has been recorded. Investigation is complete and charge-sheet is filed.

6 Considering the aforesaid, the application is allowed on the following terms and conditions :

ORDER

- (i) The applicant be released on cash bail in the sum of Rs. 25,000/-, for a period of eight weeks;
- (ii) The applicant shall within the said period of eight weeks, furnish PR Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall attend the concerned Police Station on the first Monday of every month between 10:00 a.m. to 11:00 a.m, for a period of 12 months from the date of his release;
- (iv) The applicant shall not tamper with the evidence 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 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 and attend all the dates before the trial Court, unless exempted.

7 The application is accordingly disposed of.

8 It is made clear that the observations made herein are *prima facie*, and the trial Court shall decide the case on its own merits, in accordance with law, uninfluenced by the observations made in this order.

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

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REVATI MOHITE DERE, J.