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

ANTICIPATORY BAIL APPLICATION NO.1421 OF 2019

Mehraj Saeed Shaikh	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms.Anjali Awasthi, for the Applicant.

Mr.S.S.Hulke, A.P.P for the Respondent - State.

PSI – Popat Tilekar, Vinoba Bhave Nagar Police Station, Mumbai.

CORAM : REVATI MOHITE DERE, J.

DATE : 17th JULY, 2019

P.C. :

1. Heard learned Counsel for the parties.

2. By this application, the applicant seeks pre-arrest bail in connection with C.R. No.133 of 2019, registered with the Vinoba Bhave Nagar Police Station, Mumbai, for the alleged offences punishable under Sections 354, 324, 323, 504 and 34 of the Indian Penal Code and under Sections 10 and 12 of Protection of Children from Sexual Offences Act.

3. Learned Counsel for the applicant submits that taking the prosecution case as it stands, no offence as alleged under Section 354 of the Indian Penal Code is disclosed, qua the applicant or any other accused. She submits that the applicant has been falsely implicated in the aforesaid case and that the allegations are vague and general in nature, qua the applicant.

4. Learned APP has tendered a 164 statement, which is recorded of the victim girl, aged 14 years. The same is taken on record.

5. A perusal of the 164 statement of the victim girl shows that there are no allegations made by the victim girl, aged 14 years as against the applicant. Infact the allegations are as against her step mother and her father of ill-treatment.

6. Considering the aforesaid, the application is allowed and the applicant is granted pre-arrest bail on the following terms and conditions :

ORDER

(i) In the event of the arrest, the applicant be enlarged on bail on

executing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount ;

(ii) The applicant shall report to the Investigating Officer of the concerned Police Station, as and when called, till the filing of the charge-sheet;

(iii) The applicant shall not contact the complainant, witnesses or any person concerned with the case.

7. The Application is allowed in the aforesaid terms and is accordingly disposed of.

8. It is made clear, that the observations made herein are *prima facie* and are confined to this application.

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

REVATI MOHITE DERE, J.