

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

BAIL APPLICATION NO.1920 OF 2018

Bhaso @ Vasu Prabhu Mahto	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

.....
Mr.Harshal S. Patil, Advocate for the Applicant.
Ms.A.A. Takalkar, APP for the Respondent - State.
.....

CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 10, 2019.

P.C. :

This is an application for bail in connection with C.R.No.98 of 2018, registered with Juhu Police Station, Mumbai, for the offences punishable under Sections 354, 354(b) and 506 (2) of Indian Penal Code ("IPC", for short) and Sections 7 and 8 of Protection of Children From Sexual Offence Act ("POCSO", for short). FIR was lodged on 4th March, 2018. Applicant was arrested on the same day. Prosecution case is that the applicant has touched the victim girls who are minors aged about 9 and 11 years old and outraged by touching them inappropriately. The victims have stated that the accused touched them on their chest and abdomen. Investigation is completed and charge-sheet is filed. It is submitted that the applicant is 65 years old person,

and, there are no criminal antecedents against him. Learned APP submitted that the applicant has been attributed specific act of outraging the modesty of the victims. The victims are minors. It is submitted that one more witness had come over stating that accused had made obscene gestures to his daughter. The statement of the said witness was recorded on 17th March, 2018, and, he has referred to the alleged incident, which had occurred two years ago. Learned counsel for the applicant submitted that considering the aforesaid circumstances and the fact that the applicant is senior citizen aged about 65 years and he is in custody, on certain terms and conditions, the applicant can be granted bail. Learned counsel for the applicant submits that the applicant is willing to stay out of the area of the incident. It is submitted on instigations that the applicant would stay at Pune with his son.

5 Hence, I pass the following order:

:: ORDER ::

- (i) Bail Application No.1920 2018, is allowed;
- (ii) Applicant is directed to be released on bail in connection with C.R.No.98 of 2018, registered

with Juhu Police Station, Mumbai, on his furnishing P.R. Bond in the sum of Rs.25,000/-, with one or more sureties in the like amount;

- (iii) Applicant shall furnish the details of his residential address with proof of the address where he is going to reside to the investigating officer, after he is released on bail;
- (iv) Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)