

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

CRIMINAL BAIL APPLICATION NO.2691 OF 2018

Vikas @ Bablu Vishnu Singh	.. Applicant
Vs.	
State of Maharashtra	.. Respondent

.....
Mr.Prashant Pandey, Advocate for the Applicant.
Mr.Prashant Jadhav, APP for the Respondent - State.
.....

CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 14, 2019.

P.C. :

This is an application for bail in connection with C.R.No.239 of 2018, registered with Powai Police station, Mumbai, for the offences punishable under Sections 354, 345 (a) (b) of Indian Penal Code ("IPC", for short) and under Sections 8 and 12 of Protection of Children from Sexual Offence Act, 2012 ("POCSO Act", for short). First Information Report ("FIR", for short) was lodged by the grandmother of the victim on 27th April, 2018 alleging that the accused was removed the undergarment of the victim and that the complainant slapped the applicant-accused. Statement of victim was recorded on 27th August, 2018, after the period of about four months from the date of incident. In the said statement, the victim has stated that the accused was

had inserted his hand in the undergarment. Statement of mother of the victim was recorded on 8th May, 2018, although she was present in the house immediately after the incident and was aware about the same.

2 Learned counsel for the applicant submitted that on account of dispute between both the parties, the applicant has been falsely implicated in this case. There is improvement in the statement of the victim. Learned APP submitted that the complainant is the eye witness to the incident. Applicant was arrested on 27th April, 2018. Investigation is completed and charge-sheet is filed. Taking into consideration the factual matrix of the case, on certain terms and conditions, the applicant may be released on bail.

3 Hence, I pass the following order:

:: ORDER ::

- (i) Criminal Bail Application No.2691 of 2018, is allowed;
- (ii) The applicant is directed to be released in connection with C.R.No.239 of 2018, registered with Powai 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 is directed to attend Powai Police Station, Mumbai, on first Saturday of every month between 11:00 a.m. to 01:00 p.m., till conclusion of the trial;

(iv) Applicant shall stay out of the jurisdiction of Powai Police Station, Mumbai and shall furnish the place of his residence where he is going to reside, after released on bail;

(v) Applicant is permitted to furnish cash security of Rs.25,000/-, in lieu of surety for a period of six weeks from today;

(vi) Criminal Bail Application stands disposed of.

(PRAKASH D. NAIK, J.)