

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

CRIMINAL BAIL APPLICATION NO. 3098 OF 2018

Aakash Vijay Kundu	... Applicant
Vs.	
The State of Maharashtra	... Respondent
...	
Mr. Kunal Phule I/by Mr. Shreya Shrivastava for the applicant.	
Mr. S.R. Agarkar, APP for the Respondent-State.	
...	

**CORAM : PRAKASH D. NAIK, J.
DATE : 15th FEBRUARY, 2019.**

P.C.

1. This is an application for bail in connection with C.R. No. 203 of 2018 registered with Sahar Police Station for the offence punishable under Sections 354(D), 504 of Indian Penal Code read with Section 8 of POCSO Act, 2012. Applicant was arrested on 30th June, 2018. Investigation is completed and chargesheet has been filed.
2. Prosecution case is that the victim is the daughter of the complainant. She is aged about 16 years. Applicant used to stalk the victim and trying to entice and allure her. Complainant gave understanding to the accused. She also informed the same to the

mother of the accused. Inspite of that applicant used to stalk the victim. Sometime used to visit the house of the complainant inebriated condition and would bag the door.

3. Learned counsel for the applicant submitted that applicant is a student and he has been falsely implicated in this case..

4. Learned APP submitted that if bail is granted to the applicant there is likelihood that he would harass the victim and complainant.

5. Considering the fact that investigation is completed and chargesheet is filed and the punishment provided to Section 8 of POCSO Act period of custody, bail can be granted to the applicant by imposing stringent condition.

ORDER

- i. Criminal Bail Application is allowed;
- ii. Applicant is directed to be released on bail in connection with C.R. No. 203 of 2018 registered with Sahar Police Station on furnishing P.R. Bond in the sum of Rs.25,000 with one or more sureties in the like amount;
- iii. Applicant shall not stalk the victim and shall not enter into the house or in the vicinity of the house of the complainant / victim;

- iv. Applicant shall attend the trial Court on the date of hearing unless exempted by the trial Court;
- v. In the event of breach of condition, prosecution would be at liberty to prefer an application for cancellation of bail;
- vi. Criminal Bail Application stands disposed off.

(PRAKASH D. NAIK, J.)