

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

CRIMINAL BAIL APPLICATION NO.3213 OF 2018

Rajkumar Chandrabali Chauhan Alias Master .. Applicant

Vs.

State of Maharashtra

.. Respondent

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Mr.Prashant Pandey I/b. Mr.P.D. Singh, Advocate for the Applicant.

Ms.A.A. Takalkar, APP for the Respondent – State.

Mr.Vachkal, PSI, MHB Colony Police Station, Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : JANUARY 14, 2019.

P.C. :

This is an application for bail in connection with C.R.No.228 of 2018, registered with MHB Colony Police Station, Mumbai, for the offence punishable under Section 354 of Indian Penal Code ("IPC", for short) and under Sections 8 and 12 of Protection of Children from Sexual Offence Act ("POCSO", for short).

2 The prosecution case is that the complaint is lodged by the mother of the victim. The victim is aged about 12 years. It is alleged that on 14th July, 2018, accused came from the back

side of the complainant's daughter and pressed her chest. Learned counsel for the applicant submits that there is a dispute between both the parties and the applicant had lodged complaint against the person who are using the complainant as tool with a view to dispossess the applicant from the premises which is under the SRA Scheme. Applicant is arrested on 15th July, 2018. investigation is completed and charge - sheet has been filed. There are no antecedents against the applicant. Considering the factual matrix of the case, bail can be granted to the applicant.

3 Hence, I pass the following order:

:: ORDER ::

(i) Criminal Bail Application No.3213 of 2018, is allowed;

(ii) Applicant is directed to be released in connection with C.R.No.228 of 2018, registered with MHB Colony 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 MHB Colony 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 not tamper with the prosecution evidence and shall not approach the complainant and the victim;
- (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.)