

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3244 OF 2018

Mohini H. Dashoni

... Applicant

Vs.

The State of Maharashtra

... Respondent

...

Mr. R.B. Raghwanshi a/w Mr. Tanesh Dube I/by Ashok M. Bhatia
for the applicant.

Mrs. G.P. Mulekar, APP for the Respondent-State.

...

CORAM : PRAKASH D. NAIK, J.

DATE : 15th JANUARY, 2019.

P.C.

1. This is an application for bail in connection with CR No. I-559 of 2018 registered with Kashimira Police Station for the offence punishable under Section 376, 354, 511 of Indian Penal Code and under Sections 4,6,8,12 of POCSO Act.

2. Learned APP on instructions submits that although the FIR was registered under Section 376 of Indian Penal Code, the chargesheet does not include the said offence and it is filed in respect of other offences. Applicant was arrested on 1st September, 2018. The alleged incident had occurred during the period from 21st August, 2018 and 30th August, 2018. Applicant is a lady aged about 59 years. It is alleged that applicant was employed at a school bus as an attendant. The applicant had allegedly touched the private part of victim and outraged her

modesty by committing act as alleged in FIR. Two other person were present and they were working as driver and attendant of the said bus. They were present at the time of alleged incident and their statements were recorded during the course of investigation. However, they have not made any reference of such incident in their statements. First Information Report was lodged on 30th August, 2018.

3. Applicant has been removed from her employment and she is not working as an attendant in the school bus. There are no criminal antecedents against the applicant. Considering the circumstances as stated above, the case for grant of bail is made out.

ORDER

- i Criminal Bail Application is allowed;
- ii. Applicant is directed to be released on bail in connection with C.R. No. 559 of 2018 registered with Kashimira 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 attend the trial Court on the date of hearing unless exempted by the trial Court;
- iv. Criminal Bail Application stands disposed off.

(PRAKASH D. NAIK, J.)