

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3338 OF 2018

Sagar Ali Imam Ali, Age 35 years,
Occ.Serap Sales, R/o.Juned Nagar,
Behind Costa Cafe Hotel, C.D.Barfiwala Road,
Andheri (W), Mumbai-400 058.

Applicant

versus

The State of Maharashtra

Respondent

Mr.R.V.Gupta for applicant.

Ms.A.A.Takalkar, APP, for State.

Mr.Sage, PSI, D.N.Nagar Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 16th January 2019

PC :

1. The applicant was arrested on 27th February 2018 in connection with CR No.119 of 2018 registered with D.N.Nagar Police Station for offences under Sections 354(A), 354(D) of Indian Penal Code and Sections 8 and 12 of POCSO Act. The prosecution case is that on 26th February 2018 one unknown person had outraged modesty of victim child by touching her inappropriately. On the next day the victim child (complainant) accompanied her aunt and the accused (applicant herein) again tried to repeat the said act and at that time he was apprehended by public.

2. The investigation is complete and charge sheet is filed. The applicant is in custody since last ten months. The advocate for applicant states that the applicant is willing to stay outside the jurisdiction of D.N.Nagar Police Station. The trial has not

commenced. The maximum punishment for offence under POCSO Act is of five years.

3. Taking into consideration aforesaid circumstances, bail can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.3338 of 2018 is allowed and disposed off;
- (ii) The applicant is directed to be released on bail in connection with CR No.119 of 2018 registered with D.N.Nagar Police Station, on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties;
- (iii) The applicant shall reside out of the jurisdictions of Juhu Police Station and D.N.Nagar Police Station and shall report D.N.Nagar Police Station once in a month on every first Saturday between 11 am and 1 pm;
- (iv) The applicant shall give proof of residential address and mobile number to the investigating officer of D.N.Nagar Police Station as soon as he is released on bail;
- (v) The applicant shall not tamper with evidence and shall attend the Trial Court proceedings regularly, unless exempted by the Trial Court.

(PRAKASH D. NAIK, J.)

MST