

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR

CRIMINAL APPEAL NO.295/2019
Krushna @ Kisan s/o Baban Bodkhe

..VS..

The State of Mah., thr. PSO PS Risod, District Washim and anr

.....
Office Notes, Office Memoranda of Coram,
appearances, Court orders or directions
and Registrar's orders

Court's or Judge's Order

.....
Shri N.B.Kalwaghe, Counsel for the Appellant.
Shri N.B.Jawade, Addl.P.P. for R-1/State.

CORAM : V.M.DESHPANDE, J.
DATED : APRIL 24, 2019.

1. At the outset, learned counsel Shri N.B.Kalwaghe for the appellant seeks liberty to replace Annexure-A by filing proper typed copy.
2. Permission is granted to learned counsel for the appellant as prayed for.
3. Heard learned counsel Shri N.B.Kalwaghe for the appellant.
4. Issue Notices to the respondents, returnable after 8 weeks.
5. Learned Additional Public Prosecutor Shri N.B.Jawade waives service for respondent No.1/State.
6. Respondent No.2 be served and intimation of filing of the present appeal be given to him through the Superintendent of Police, Washim.

Criminal Application (APPA) No.400/2019

1. This is an application for grant of *ad interim*

anticipatory bail.

2. Heard learned counsel Shri N.B.Kalwaghe for the applicant and learned Additional Public Prosecutor Shri N.B.Jawade for the State.

3. Respondent No.2 lodged a report with Risod Police Station, District Washim on 10.3.2019 in respect of occurrence dated 9.3.2019. On the basis of the said report, a crime was registered for offences under Section 354-A and 324 read with Section 34 of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and under Section 3(1)(xi) and 3(2) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

4. In the first information report, the applicant is shown as accused No.4. The First Information Report is lodged by grandfather of the victim.

5. Perusal of the First Information Report would reveal that no overt act is attributed to the present applicant neither for assault nor for using abusive language in the name of tribe.

6. In that view of the matter, in the event of arrest of applicant-Krushna @ Kisan s/o Baban Bodkhe, in connection with Crime No.71/2019 registered with Risod Police Station, District Washim for offences under Section 354-A and 324 read with Section 34 of the Indian Penal Code and under Section 8 of the Protection of Children from Sexual Offences Act, 2012 and under Section 3(1)(xi) and 3(2) of the Scheduled Castes and the Scheduled Tribes

(Prevention of Atrocities) Act, 1989, the applicant be released on bail on he executing a P.R.Bond in the sum of Rs.5000/- with one solvent surety of the like amount.

7. The applicant shall attend S.D.P.O. at Washim on 29th and 30th of April 2019 and shall be with Investigating Officer from 11:00 a.m. and 5:00 p.m. and shall continue to attend S.D.P.O. at Washim as and when his presence is required by Investigating Officer, however for that Investigating Officer shall issue him a 48-hour written communication.

JUDGE

!! BRW !!