

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1364 OF 2020

Ganesh s/o Jalwanta Jadhav

Applicant

Versus

The State of Maharashtra

Respondent

Mr.S.K.Chavan, advocate for the applicant.
Mr.N.T.Bhagat, APP for the Respondent.

CORAM : V.K.JADHAV, J.

DATE : 04th December, 2020.

PC :

1 The applicant – Ganesh s/o Jalwanta Jadhav, is seeking bail in connection with Crime No.0639/2020, registered with Nanalpeth Police Station, Parbhani, for the offences punishable Sections 354-A(1) (i) of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act.

2 Heard both sides.

3 The learned Counsel for the applicant submits that the applicant is old aged person arrested in connection with present crime on 26th October, 2020. The investigation is over for all practical purposes and formality of filing charge sheet is only remained.

4 On going through the allegations made in the complaint and on perusal of the investigation papers, though I find the name of the applicant mentioned in the First Information Report with a specific role ascribed to him and even the victim, who is a girl aged 11 years, has made allegations against the applicant in her statement recorded under Section 164 of the Code of Criminal Procedure before the Magistrate, however, as a matter of punishment, bail could not be refused to the applicant when he is available for trial and there is no possibility of tampering with the prosecution evidence. I am, thus, inclined to enlarge the applicant on bail on certain conditions.

5 Hence, the following order:

(i) Application is hereby allowed.

(ii) The applicant - Ganesh s/o Jalwant Jadhav, is seeking bail in connection with Crime No.0639/2020, registered with Nanalpeth Police Station, Parbhani, for the offences punishable Sections 354-A(1) (i) of the Indian Penal Code and Section 8 of the Protection of Children from Sexual Offences Act, be released on bail on his furnishing Personal Bond of Rs.15,000/- (Rs.Fifteen Thousand) with one surety of the like amount, on the following condition:

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(a) The applicant shall not tamper with the prosecution evidence, in any manner.

6 The application is accordingly disposed of.

(V.K.JADHAV)
JUDGE

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