

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

**CRIMINAL APPLICATION NO. 577 OF 2019
IN
CRIMINAL BAIL APPLICATION NO. 346 OF 2019**

Dilip Somnath Bamankar	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Rajaram V. Bansode, Advocate for the Applicant.
Mr. S. H. Yadav, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.
DATE : 4th February, 2020

PC :

1. This is an application for relaxation of condition stipulated in order dated 15th February, 2019 passed by by this Court granting bail to the applicant. The applicant was directed to stay away from the jurisdiction of Akluj Police Station, Solapur till the framing of charge. The crime was registered under Section 376 (A), 506, r/w Section 34 of Indian Penal Code and Section 4, 8 & 12 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act').
2. Learned counsel for the applicant submit that, applicant is 56 year old person. He is away from his family since last one year. He has complied the condition. The applicant is heart patient. He is willing to report the Akluj Police Station. Charge is not yet framed.

3. Learned APP on instructions submits that the charge is not yet framed. The application was adjourned from time to time to ascertain whether the charge is framed against the accused. In order dated 13th December, 2019 it was noted that the case was kept for framing of charge on 7th January, 2020. Hence, and the application was listed on 8th January, 2020. The application came on hearing on 8th January, 2020, it was pointed out that the applicant was present before the trial court for framing charge. However, accused No.2 was not present. Hence, the application was adjourned to 4th February, 2020. Learned APP submitted that the matter was listed before the trial Court on 3rd February, 2020, however, charge has not been framed. Considering these circumstance, the condition to stay away from the jurisdiction of Akluj Police Station is relaxed. However, the applicant is directed to report the Akluj Police Station once in a week on Saturday between 11.00 a.m. to 1.00 p.m. till further order. The applicant shall not approach the victim or her family members and shall not try to tamper with the evidence. Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)