

Protection of Children from Sexual Offences Act 2012
("POCSO" for short).

2. It is prosecution's case that this applicant and co-accused had introduced the victim to the accused no. 1 as a domestic maid. It is victim's case that in her statement, she had disclosed that she was sexually assaulted by accused no.1 which came to light only when she had missed her menses and the doctor diagnosed that she was pregnant whereafter, the brother-in-law of the victim filed the complaint against the applicant and the co-accused. The alleged sexual assault had occurred in May 2019 and at that relevant time, the victim was 17 years old.

3. The final report suggests that the applicant and lady co-accused had introduced the victim to accused no.1 as a domestic maid, who had then allegedly sexually assaulted her. As to whether the applicant and the co-accused had knowledge that she would be sexually assaulted or victimized by the accused no.1

is a matter for the trial. Therefore, prima facie, no definite role can be attributed to the present applicant in order to refuse him bail.

4. Additionally it may be stated that the applicant has no criminal antecedents and in view of the facts of the case and nature of the accusations against the applicant, the applicant is directed to be released on bail on the following conditions.

ORDER

(i) The applicant is directed to be released on bail on executing P.R. Bond for the sum of Rs.25,000/- with one or more sureties in the like amount;

(ii) The applicant shall report to the Investigating Police Station as and when called;

(iii) The applicant shall furnish the particulars of his current residential address as well as address of his native place and contact details to

the investigating officer within seven days from the date of his release on bail;

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case;

5. The application is allowed in the aforesaid terms and disposed off.

6. It is made clear that observations made hereinabove shall be construed as an expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP. K. SHINDE, J.)_