

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

CRIMINAL APPLICATION (BA) NO.1187/2019

Amisha Vinod Sharma .vs. State of Maharashtra through PSO P.S. City
Kotwali, Akola, Tq. Dist. Akola.

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

Court's or Judge's orders.

Ms S.O.Tapadiya, Advocate with Mr. V.R.Tiwari, Advocate for
applicant.

Mr. M. J. Khan, A.P.P. for non applicant-State.

CORAM : V. M. DESHPANDE, J.

DATED : JANUARY 15, 2020

Heard Ms Tapadiya, learned counsel for applicant
and Mr. Khan, learned A.P.P. for non applicant-State.

This is an application for regular bail. Applicant
is a 19 years old girl. She was arrested in connection with
Crime No.335/2019, registered with Police Station, City
Kotwali, Akola for an offence punishable under Sections 354,
143, 147, 148, 149, 452, 294 and 506 of the Indian Penal
Code and Sections 7 and 9 of the Protection of Children
From Sexual Offences Act.

The learned A.P.P. for non applicant-State has
filed a detailed reply to oppose the application. From the
reply, it is clear that after arrest of the applicant, interim bail
was granted in favour of the applicant up to 18.12.2019 and
thereafter she has surrendered before the Court of Sessions
on 19.12.2019 and since then she is in Magisterial Custody
and the applicant is in prison at Akola.

From the reply, it is clear that the applicant is a student of B.Com. (Parti II). Age of the applicant is shown as 19 years. As per reply, the role attributed to present applicant is that she used filthy language in respect of daughter of complainant that she is indulged in prostitution.

Looking to the nature of accusation as disclosed in the reply and the fact that the applicant is a girl of tender age and she is a student, in my view, her further custodial presence is not at all required. That leads me to pass the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant-Amisha Vinod Sharma be released on bail in connection with Crime No.335/2019, registered with Police Station, City Kotwali, Akola for an offence punishable under Sections 354, 143, 147, 148, 149, 452, 294 and 506 of the Indian Penal Code and Sections 7 and 9 of the Protection of Children From Sexual Offences Act, on she executing P.R. Bond in the sum of Rs.5,000/- with one solvent surety in the like amount.

The application is disposed of.

JUDGE