

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.146 OF 2021

Hussain Liyakat Ansari

Applicant

versus

The State of Maharashtra

Respondent

Adv.Pooja Joshi i/by Mr.A.M.Saraogi for applicant.

Mr.Y.M.Nakhwa, APP, for State.

Mr.Rajan M. Dhuri, PSI, Sakinaka Police Station, present.

CORAM : PRAKASH D. NAIK, J.

DATE : 13th January 2021

PC :

1. This is an application for bail in CR No.674 of 2019 registered with Sakinaka Police Station for offences under Sections 354, 354-D of Indian Penal Code and under Sections 8 and 12 of POCSO Act.

2. The FIR was lodged on 21st August 2019 by watchman of school. The prosecution case is that the victim girl aged about 15 years is studying in school at Sakinaka. The accused was allegedly stalking her since last 4 to 5 days and he used to make objectionable gestures to her. On 16th August 2019 the accused approached her and touched her chest. The victim informed the incident to her friends. On the next day the accused again approached her and touched her. He was again stalking her on 21st August 2019.

3. The applicant is in custody from 21st August 2019. Investigation is completed and charge sheet is filed. Maximum punishment provided for offences under POCSO Act is five years.

There are no criminal antecedents against him. Hence on stringent conditions bail can be granted to the applicant. Hence, I pass following order :

ORDER

- (i) Criminal Bail Application No.146 of 2021 is allowed and disposed of;
- (ii) The applicant is directed to be released on bail in connection with CR No.674 of 2019 registered with Sakinaka Police Station, on executing PR bond in the sum of Rs.25,000/- with one or more local sureties in the like amount;
- (iii) The applicant shall stay out of jurisdiction of Sakinaka Police Station till further orders;
- (iv) The applicant shall not approach victim and shall not tamper with evidence in any manner;
- (v) In the event there is breach of any of the conditions, the State or the victim would be at liberty to prefer application for cancellation of bail;
- (vi) The applicant is permitted to furnish cash security in the sum of Rs.25,000/- for a period of eight weeks in lieu of surety.

4. This order will be digitally signed by the Private Secretary of this Court. All concerned will act on production by fax or e-mail of a digitally signed copy of this order.

(PRAKASH D. NAIK, J.)

MST