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

CRIMINAL BAIL APPLICATION NO. 2271 OF 2021

ARMAN JIRMAL SHAIKH

....APPLICANT

V/s.

THE STATE OF MAHARASHTRA

.....RESPONDENT

Mr. Milan Desai i/b Mamta Tripathi for the applicant

Mr. M. G. Patil APP for the State

Mr. Nitin Sawant, HC, Bangurnagar Police Station

CORAM : NITIN W. SAMBRE, J.

DATE: NOVEMBER 22, 2021.

P.C.:

1] Applicant is seeking regular bail in C.R. No. 595/2020 registered with Bangurnagar Police Station for Offences punishable under Sections 354(A), 354, 504, 506, 323 of the Indian Penal Code.

2] Allegation against the applicant is, applicant under the influence of alcohol has outraged the modesty of his minor daughter.

- 3] Medical evidence has not supported the case of prosecution.
- 4] Statement of complainant and that of victim recorded under Section 164 of Code of Criminal Procedure, 1973 is at substantial variance on the issue of occurrence and seriousness of the incident.
- 5] Offence is punishable with maximum punishment of 5 years.
- 6] In that view of the matter, case for bail is made out.
 - (i) Applicant be released on bail in C.R. No. 595/2020 registered with Bangurnagar Police Station for Offences punishable under Sections 354(A), 354, 504, 506, 323 of the Indian Penal Code upon furnishing P.R. bond in the sum of Rs. 25,000/- with one or two local sureties in the like amount.
 - (ii) Applicant shall neither influence the witnesses nor tamper with evidence in any manner.

(iii) Applicant shall not establish contact with victim or her family members.

(iv) Applicant shall attend the trial regularly, failing which Trial Court will be at liberty to initiate proceedings for cancellation of bail.

7] Application stands disposed of.

[NITIN W. SAMBRE, J.]

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MASHAL

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Order corrected pursuant to speaking to minutes order dated 04/12/2021.