

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

ANTICIPATORY BAIL APPLICATION NO.2575 OF 2021

Jay Bhagwan More	..Applicant
Versus	
The State of Maharashtra and Anr.	..Respondents

Mr. Aniket Vagal a/w Mr. Sharad Mulik, Advocate for the Applicant.
Mr. A. R. Kapadnis, APP for the Respondent No.1 – State.
Mr. Shashikant Chaudhari a/w Mr. Pranot Pawar i/by Maharashtra
Law Associates, for Respondent No.2.

CORAM : NITIN W. SAMBRE, J.

DATE : 24th NOVEMBER, 2021

PC.

1. Applicant is seeking pre-arrest bail in Crime No.32 of 2021 registered with Nerul Police Station Navi Mumbai offence the offence punishable under Sections 354, 354D, 504, 506, 166A of IPC and Sections 11 and 12 of POCSO Act.

2. I am informed that before registration of the aforesaid offence, applicant was already arrested in earlier crime being offence No.139 of 2020 punishable under Sections 354, 354A, 354D, 323, 504, 506 of IPC and Sections 8 and 12 of POCSO Act.

3. I have heard at length learned counsel for the applicant, counsel for the complainant and learned APP who on the last date

was assisted by the Investigating Officer.

4. The investigation in the matter is already transferred to other police station as complainant has experienced victimization at the hands of the police officer who has investigated earlier.

5. A copy of the undertaking in the form of affidavit tendered by the applicant is taken on record.

6. In the light of the fact that applicant is aged about 20 years and is a student, the Investigating Officer through learned APP, so also the counsel for the complainant have not insisted for custodial interrogation of the applicant particularly having regard to the undertaking.

7. In that view of the matter, application stands allowed.

8. Applicant in the event of his arrest in Crime No.32 of 2021 registered with Nerul Police Station Navi Mumbai offence the offence punishable under Sections 354, 354D, 504, 506, 166A of IPC and Sections 11 and 12 of POCSO Act be released on bail on executing P. R. bond of Rs.15,000/- with on or more sureties in the like amount.

9. Applicant or his family members shall not directly or indirectly try to influence the complainant or his family members.

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10. Applicant shall stay outside the jurisdiction of Nerul and Belapur police station till the conclusion of the trial as has been undertaken by him.

11. Further, undertaking mentioned in the affidavit of the applicant has to be read as part and parcel of the present order.

12. In case, if applicant is found violating the conditions of bail as referred above, Court below shall immediately initiate proceedings of taking the applicant in custody.

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signed by
BALAJI
GOVINDRAO
PANCHAL
Date:
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[NITIN W. SAMBRE, J.]