

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

CRIMINAL APPLICATION (BA) NO. 569/2021.

Dipak Shripat Tayade

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri Gopal Mishra, Advocate for the Applicant.
Shri A.M. Deshpande, APP for the Non-applicant.

CORAM : VINAY JOSHI, J.

DATE : JULY 02, 2021.

Hearing was conducted through Video
Conferencing.

2. The applicant is arrested by the police of Tamgaon Police Station, District Buldhana in connection with Crime No.120/2021 for the offence punishable under Sections 354-A, 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO). The applicant has prayed for bail on the ground of innocence and false implication.

3. The State has resisted the bail by

2

submitting that the investigation is in progress and the alleged act is of serious in nature.

4. Perused the contents of first information report, from which it emerges that the applicant accosted the minor victim, aged 16 years, caught her wrist and asked some sexual favour, but, immediately ran away. This is the only allegation against the applicant. He came to be arrested on 05.05.2021 and for a period of near about last two months he is in jail.

5. Having regard to the nature offence, nothing has remained to be seized. The investigation appears to be practically complete as time of two months have lapsed from the occurrence. Having regard to the nature of accusation, further detention of the applicant is no more required. In view of above, following order is passed.

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant/accused Dipak Shripat Tayade be released on bail in

3

connection with Crime No.120/2021 registered with Police Station Tamgaon, District Buldhana for the offence punishable under Sections 354-A, 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO) on his furnishing P.R. Bond of Rs.25,000/- with one or two sureties in the like amount.

- (iii) The applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (iv) The applicant /accused shall attend the concerned police station on every first Monday of each month from 10 a.m. to 12 noon for a period of one year.
- (v) Misc. Application if any, also stands disposed of.

JUDGE

Rgd.