

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

Criminal Application (BA) No. 660 of 2021

[Padmakar s/o Vitthalrao Surjuse **..vs..** State of Maharashtra through P.S.O. Ramnagar, Wardha,
Dist. Wardha]

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

Court's or Judge's orders

Mr. S. M. Nafde, Advocate for the applicant
Mrs. K. R. Deshpande, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 19-07-2021

Hearing was conducted through Video Conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. The applicant is seeking bail in connection with Crime 108/2021 registered with Ramnagar Police Station, Wardha for the offences punishable under Sections 354 and 452 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act.

3. The gist of the report which is lodged by the father of the victim is that the applicant took advantage of the absence of the first informant and his wife, visited

their house and sexually misconducted by caressing the breast and kissing the minor daughter.

4. Mr. Nafde would submit that the incident allegedly occurred on 13-2-2021 and even according to the first informant, he came to know on 14-2-2021, which renders the report lodged on 18-2-2021 doubtful. It is further submitted that there was bad blood between the applicant and the first informant. Both of them were serving in the same institution. The final submission is that the applicant is in custody since 19-2-2021, the investigation is complete, the charge-sheet is filed and more importantly, the victim girl has left the rented premises which was adjacent to the house of the applicant.

5. The applicant has no adverse antecedent. The victim is not any longer his neighbour. In any event, considering the nature of accusations and the submission that there is no explanation for the delay in lodging the report, a case for grant of bail is made out.

6. The applicant be released on bail on furnishing PR bond of ₹ 15,000/- (Rupees Fifteen Thousand) with solvent surety of like amount on following conditions.

(a) The applicant shall not tamper with the evidence or make any attempt to influence the witnesses, directly or indirectly.

(b) The applicant shall not leave the country without the permission of the jurisdictional Court.

7. The application is allowed in the aforestated terms.

JUDGE

wasnik