

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1213 OF 2022

Ashish Chittaranjan Shinde	... Applicant
Versus	
The State of Maharashtra and another	... Respondents

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Ms Sunita G. Sonawane, Advocate for applicant
Mr. V. S. Badakh, APP for respondent No.1
Ms N. I. Deshmukh, Advocate for respondent No.2

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CORAM : R. G. AVACHAT, J.

DATED : 23rd AUGUST, 2022

PER COURT :-

. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0490/2022, registered at Tophkhana Police Station, Ahmednagar, District Ahmednagar, for the offences punishable under Sections 354-D, 509 of the Indian Penal Code and under Sections 8 and 12 of the Protection of Children from Sexual Offences (POCSO) Act.

2. Heard. Perused the First Information Report (FIR) and related papers.

3. The learned APP and the learned Advocate appointed to represent the victim have opposed for grant of bail to the applicant.

4. The incident took place on 20.06.2022. It is the case of the victim that the applicant and three others would follow her from home to class and back. They used to make some gestures at her. She was, therefore, got frightened and rushed home and informed the same to her maternal uncle. After a while, those boys had again been towards her house. She identified them. The maternal uncle of the victim chased them with the assistance of the boys from the locality. The present applicant came to be overpowered. It has been mentioned in the FIR itself that he was given thrashing by the persons there. He came to be arrested on 21.06.2022.

5. The maximum punishment provided for the offence is, five years of imprisonment. The applicant has been behind the bars for little over two months. The learned Advocate for the applicant makes a statement that charge-sheet has not yet been filed.

6. Considering the nature of offence and the fact that the applicant has been behind the bars for little over two months, the application is allowed. Hence, following order:

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0490/2022, registered at Tophkhana Police Station, Ahmednagar, District Ahmednagar, for the offences punishable under Sections 354-D, 509 of the Indian Penal Code and under Sections 8 and 12 of the Protection of Children from Sexual Offences (POCSO) Act, on his executing P. R. bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with surety bond of the like amount.
- (iii) The applicant shall not enter Savedi, District Ahmednagar and shall not be after the victim. If, again similar complaint is received, the bail granted to the applicant will be cancelled.
- (iv) The applicant shall not tamper with the prosecution evidence.

[R. G. AVACHAT, J.]