

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

ANTICIPATORY BAIL APPLICATION NO.1353 OF 2022

Sachin Balasaheb Gaikwad @
Sachin Sudhakar Gaikwad ... Applicant

Versus

The State Of Maharashtra & Anr. ... Respondents

...
Mr. A. B. Jagtap, Advocate for the Applicant
Mr. S. P. Sonpawale, APP for Respondent-State
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 19th October, 2022

PER COURT :-

1. Though Investigating Officer has served victim, none appears on her behalf.
2. Applicant is apprehending arrest in connection with Crime No.282/2022, registered with Shrirampur Taluka Police Station, District Ahmednagar, for the offences punishable under Sections 363, 366, 354, 504 and 506 read with Section 34 of the Indian Penal Code and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012.
3. The only role attributed in the FIR against applicant is that, applicant gave lift to victim and accused no.1 from Ghogargaon to

Salabatpur. Except that, no active role is played by applicant in the alleged offence. Applicant claims to be the owner and driver of vehicle (swift car). Applicant is a friend of main accused, against whom, allegations of kidnapping and abduction are levelled.

4. Taking into consideration the role attributed to applicant and the fact that, applicant has tried to help his friend/main accused by giving him lift, prima facie, no criminal intention can be attributed to applicant.

5. The learned Assistant Public Prosecutor submits that swift car used in the crime needs to be seized. Applicant, therefore, deserves protection.

6. Perusal of investigation papers reveal that, there is no material against applicant showing his active involvement in the alleged crime. Except that, he has given lift to accused no.1 and victim.

7. In the event of arrest of applicant in connection with Crime No.282/2022, registered with Shrirampur Taluka Police Station, District Ahmednagar, for the offences punishable under Sections 363, 366, 354, 504 and 506 read with Section 34 of the Indian Penal Code and Sections 7 & 8 of the Protection of Children from Sexual Offences Act, 2012, applicant shall be released on bail on

executing P.R. and S.B. of Rs.15,000/-, with one surety in the like amount.

8. Applicant shall produce Swift Car allegedly used in the offence before the Investigating Officer.

9. Applicant to attend concerned Police Station during 24th to 30th October, 2022, everyday between 9:00 a.m. to 11:00 a.m.

[NITIN B. SURYAWANSHI, J.]

Sameer