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

BAIL APPLICATION NO.1946 OF 2022

**SANJAY SAKHAHARI THORAT
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. Shailesh S. Chapalgaonkar, Advocate for applicant;
Mr. A. A. Jagatkar, A.P.P. for respondent No.1/State;
Mr. A. V. Indrale-Patil, Advocate (appointed) for respondent No.2

**WITH
BAIL APPLICATION NO.1975 OF 2022**

**RAJENDRA MADHAV THORAT
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. R. N. Dhorde, Senior Advocate, instructed by Mr. V. R. Dhorde,
Advocate for applicant;
Mr. A. A. Jagatkar, A.P.P. for respondent No.1/State;
Mr. A. V. Indrale-Patil, Advocate (appointed) for respondent No.2

CORAM : S. G. MEHARE, J.

DATE : 22nd December, 2022

PC.

1. Heard the learned counsel for the applicants, the learned A.P.P. for respondent No.1 and the learned counsel for respondent No.2/victim.
2. An unfortunate incident allegedly happened in the School, that the applicants - Teachers have molested the girls.

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3. The learned counsel for the applicants would submit that the Zilla Parishad has suspended the applicants and they have been posted at another place. The applicants are languishing behind bar since 19.09.2022. Since the applicants have been suspended and transferred to another place, the victims have been protected. There may not be a possibility of tampering with the prosecution witnesses. The investigation has been completed and the chargesheet has been filed. Though the offence appears serious, the detention of the applicants would serve no purpose.

4. The request of the learned counsel for the applicants and the learned counsel appearing for the victim to impose certain conditions may be accepted.

5. In the facts and circumstances of the case, the applicants deserve bail. Hence, the following order :-

- i) Applications are allowed.
- ii) Applicant – Sanjay Sakhahari Thorat, in B.A.No.1946 of 2022 and applicant – Rajendra Madhav Thorat, in B.A.No.1975 of 2022, be released on bail, on furnishing PB and SB of Rs.50,000/- each, with one solvent surety of like amount, in C.R.No.0447 of 2022 registered with Shirdi Police Station, District Ahmednagar, for the offence punishable under Section 354A of the Indian Penal Code and Sections 3(1)(w)(i)(ii) of

(3)

the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and Sections 8, 11 and 12 of the Protection of Children from Sexual Offences Act, on the conditions that;

- (a) The applicants shall not contact the victims, their relatives, friends or any witness till the conclusion of the trial.
- (b) The applicants shall not enter the place of the residence of the victims till conclusion of the trial and shall furnish their present residential addresses and cell phone numbers to the police.
- (c) The applicants shall attend the trial on every material hearing and co-operate with the trial.

iii) The Secretary, High Court Legal Services Sub-Committee Aurangabad, do pay the fees to the learned counsel appointed for the respondent No.2/victim, as per the schedule, in both matters.

(S. G. MEHARE, J.)

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