

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 725 OF 2022

Pramod Krushna Kamble and Anr.	...	Applicants
<i>Versus</i>		
State of Maharashtra	...	Respondent

Mr. Hrishikesh Chavan for the Applicants.
Ms. M. R. Tidke, APP for the State.
Mr. Sandesh Kamble, Orig. Complainant-Present.

CORAM : VINAY JOSHI, J.
DATE : 29th APRIL, 2022

P.C. :-

1. The applicants are seeking regular bail in Crime No. 217 of 2021 registered with Medha Police Station, Dist. Satara for the offences registered under Sections 376(2), 376(AB), 354(B), 354(D), 363 and 342 read with 34 of the Indian Penal Code and Sections 4, 6, 8, 9 and 10 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO'). The bail is claimed on the ground of innocence, false implication and parity. The State opposed bail by contending that the applicants have tried to prevent the informant from lodging report about the offence of serious nature pertaining to child.

2. It is prosecution case that co-accused namely Babling @ Baban Sakpal has allegedly sexually assaulted a minor victim aged 10 years. Informant is a grand-mother of victim. All of them went to Tanta Mukti Kendra. The applicant no.1 is Deputy Sarpanch whilst applicant no.2 is member of Tanta Mukti Kendra. It is alleged that members

have pressurised informant to settle the matter. Apparently, the role ascribed to the applicants is limited to that extent. Applicability of the provisions of sexual assault and the provisions under POCSO Act are in question. This Court vide order dated 24th March, 2022 in Anticipatory Bail Application No.194 of 2022 has already released two co-accused namely Ganesh Dnyaneshwar Pawar and Ashok @ Anandrao Nivrutti Mahamulkar who are Sarpanch and member of the Tanta Mukti Kendra. The allegation against applicants are exactly similar. The investigation is already complete and charge-sheet has been filed. Having regard to the nature of allegation, a case is made out for grant of bail. In view of that following order :-

ORDER

- (a) The applicants namely Pramod Krushna Kamble and Dilip Dinkar Mahmulkar, be released on bail in connection with Crime No. 217 of 2021 registered with Medha Police Station, Dist. Satara for the offences registered under Sections 376(2), 376(AB), 354(B), 354(D), 363 and 342 read with 34 of the Indian Penal Code and Sections 4, 6, 8, 9 and 10 of the Protection of Children from Sexual Offences Act, on their furnishing P.R. Bond of Rs.25,000/- each with one or two sureties in the like amount.
- (b) The applicants 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.
- (c) Application stands disposed in above terms.

[VINAY JOSHI, J.]

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