

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.201 OF 2022

Rohit Sudhakar Shegaonkar

Versus

State of Maharashtra, through P.S.O., P.S. Khamgaon (Gramin), Tq. Khamgaon, Dist.
Buldhana

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.K. Wankhede, Advocate for the applicant.

Shri V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 20/04/2022

1. The applicant is seeking pre-arrest bail in Crime No.87 of 2022, dated 28.02.2022, registered with Police Station Khamgaon (Gramin) District Buldhana, for the offences punishable under Sections 354, 354-D and 504 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act (hereinafter referred to as "POCSO Act").

2. Shri Wankhede, learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence. He submits that there are letters written by the complainant expressing her love towards the applicant. He therefore, submits that as the applicant is a student and pursuing his education, he may be granted pre-arrest bail in the alleged offence.

3. On the other hand, Shri Thakare, learned APP opposes the present application and submits that as the applicant and the victim are residing in the same village, there is a possibility that the applicant may pressurize the victim.

4. I have perused the Case Diary and also the contents of the First Information Report (FIR).

5. The applicant has filed letters alleged to have written by the complainant, wherein she has expressed her love towards the applicant. The letters *prima facie* show that there was love affair between the applicant and the complainant. In that view of the matter, I am of the opinion that the applicant is entitled for grant of pre-arrest bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicant in Crime No.87 of 2022, dated 28.02.2022, registered with Police Station Khamgaon (Rural) District Buldhana, for the offences punishable under Sections 354, 354-D and 504 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, the applicant shall be released on

bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station on 25, 26, 27 and 28th April, 2022 between 10.00 a.m. to 12.00 noon and thereafter, as and when his presence is required.
- d) The applicant shall not tamper with the prosecution witnesses.
- e) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.
- f) The applicant shall not entered into the limits of Vihigaon, Tq. Khamgaon, District Buldhana, till filing of the charge-sheet.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]