

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

CRIMINAL APPLICATION (BA) NO.628 OF 2022

(ROHIT POMASING DONGARE....VS.. STATE OF MAH. THR. PSO PS DIGRAS, DIST. YAVATMAL & ANR.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R.J.Shinde, Advocate for Applicant.
Shri S.D.Sirpurkar, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : AUGUST 04, 2022.

1. Heard.
2. The applicant is seeking bail in Crime No. 280 of 2022, registered with Police Station Digras, District : Yavatmal, for the offences punishable under Sections 354, 354-A, 354-D and 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.
3. The learned counsel for the applicant submits that the applicant is in jail from last two months. It is submitted that there was a love affair between the victim and the applicant. However, as her parents are not in favour of it, they got the F.I.R. registered against the applicant. He submits that as the applicant is in jail for sufficient time and the investigation is almost completed, further custody of the applicant is not necessary.

4. The learned A.P.P. strongly opposed the application. He submits that if the applicant is released on bail he may pressurize the prosecution witnesses.

5. I have perused the case diary and the F.I.R.

6. The applicant is a 20 years old young boy pursuing his education and also doing a private job. *Prima-facie*, it appears that there was a love affair between the applicant and the victim. It appears that, The applicant had also placed a proposal before the parents of the victim to marry her.

7. The allegations are that with bad intention he caught hold the hands of the victim.

8. In the light of the allegations made in the F.I.R. and considering the fact that the applicant is in jail for last two months, I am of the opinion that further custody of the applicant is not necessary in this case.

8. As far as apprehension expressed by the learned A.P.P. that the applicant may pressurize the prosecution witnesses, the said apprehension can be addressed by imposing certain conditions. Accordingly, I pass the following order:

- i) Criminal application is allowed;

- ii) It is directed that the applicant shall be released on bail in Crime No. 280 of 2022, registered with Police Station Digras, District : Yavatmal, for the offences punishable under Sections 354, 354-A, 354-D and 506 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on furnishing P.R.Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- iii) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- iv) The applicant shall not enter the territorial jurisdiction of Digras, District : Yavatmal till filing of the charge-sheet, except for attending the Police Station as and when his presence is required;

The Criminal Application is **disposed of** accordingly.

JUDGE