

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

CRIMINAL APPLICATION (BA) NO.678 OF 2022

Lakhan S/o Pralhad Adhau .Vs. State of Maharashtra, through P.S.O., P.S. Akot
(City), Dist. Akola and another

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

Court's or Judge's Order

Shri A.P. Bhuiabhar, Adv. h/f shri A.M. Tirukh, Adv. for the applicant.
Shri A.R. Chutke, A.P.P. for the non-applicant No.1/State.
Mrs. Sonali Saware, Advocate for the non-applicant No.2/victim.

CORAM : ANIL S. KILOR, J.
DATED : 26/09/2022

Heard.

2. The applicant is seeking bail in Crime No.636 of 2021, dated 25.06.2021, registered with Police Station Akot, District: Akola, for the offences punishable under Sections 354(d) and 504 of the Indian Penal Code and Sections 7, 8, 11 and 12 of the Protection of Children from Sexual Offences Act (hereinafter referred to as "POCSO Act").

3. The allegations made in the First Information Report (FIR), are that the applicant used to follow the victim who is minor and would trouble her.

4. Thus, considering the fact that, the applicant is in jail since 26.06.2021 i.e. for more than one year and as the charge-sheet is filed after completion of investigation, I

am of the opinion that further custody of the applicant is not necessary.

5. In the circumstances, though the learned APP and the learned counsel for the victim are opposing the present application on the ground that, if the applicant is released on bail, he may repeats the offence, I am of the opinion that, the same can be addressed by putting some stringent condition. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail in Crime No.636 of 2021, dated 25.06.2021, registered with Police Station Akot, District: Akola, for the offences punishable under Sections 354(d) and 504 of the Indian Penal Code and Sections 7, 8, 11 and 12 of the Protection of Children from Sexual Offences Act (hereinafter referred to as "POCSO Act"), on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.
- c) The applicant shall not enter into the territorial jurisdiction of Akot, Dist. Akola, till the culmination of the trial, except for trial.

- d) The applicant shall attend the concerned Police Station as and when his presence is required.
- e) Fees of the learned counsel for the non-applicant No.2/Victim, be quantified as per the Rules.

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

JUDGE