

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

CRIMINAL APPLICATION (BA) NO. 718 OF 2022

Shaikh Muzammil @ Raja Khan s/o Shaikh Jamil **Versus** State of Maharashtra,
through PSO PS City Kotwali, Amravati, District Amravati)

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

Court's or Judge's Order

Shri S.B. Gandhe, counsel for the applicant.

Shri N.R.Rode, APP for the non-applicant No/State.

CORAM : ANIL S. KILOR, J.

DATED : 25/07/2022

1. The applicant is seeking bail in Crime No. 261 of 2022, dated 03/06/2022, registered with Police Station City Kotwali, District: Amravati, for the offences punishable under Sections 354-D, 506 of the Indian Penal Code 1860 read with Section 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Shri S.B.Gandhe, learned counsel for the applicant submits that, considering the nature of allegations and the fact that the applicant is already in custody for about one and half months, further custody of the applicant is not necessary.

3. He further submits that, the applicant has been falsely implicated in the alleged offence.

4. On the other hand, learned APP strongly opposed the present application and submits that the

offence is serious, hence this Court may not consider the request of the applicant for grant of regular bail.

5. The non-applicant No.2 (victim) is served, nobody is appearing on behalf of the victim.

6. I have perused the Case-diary and the FIR.

7. It can be seen from the allegations made in the FIR that, the applicant used to follow the victim and would try to express his feelings to her, and further the fact that the applicant is in custody from last one and half months, I am of the opinion that further custody of the applicant is not required.

8. As far as the apprehension of the learned APP that if the applicant is released on bail, he may repeat the offence, the said apprehension can be addressed by imposing certain stringent conditions. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in Crime No. 261 of 2022, registered with Police Station, City Kotwali, District Amravati, for the offences punishable under Sections 354-D, 506 of the Indian Penal Code, 1860 read with Section 12 of the Protection of Children from Sexual Offences Act, 2012, the applicant shall be released on bail on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station on 1st and 16th day of each month between 10.00 a.m. to 12.00 noon, till the culmination of trial.
- d) The State is at liberty to apply for cancellation of bail, in case of breach of any condition or the applicant commits any serious offence.

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

[ANIL S. KILOR, J.]