

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

CRIMINAL APPLICATION (ABA) NO. 641 OF 2022

Ajay Ramesh Kadam **Versus** State of Maharashtra, through PSO PS Digras,
Dist. Yavatmal 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 I.M. Ghongade, Advocate for the applicant.

Shri S.M.Ghodeswar, A.P.P. for the non-applicant No.1/State.

Ms Deepali Sapkal, Advocate for the non-applicant no.2. (appointed)

CORAM : ANIL S. KILOR, J.

DATED : 21/09/2022

Heard.

2. The applicant is seeking pre-arrest bail in connection with Crime No. 528 of 2022 registered with Police Station Digras, Tq. Digras, District Yavatmal, for the offences punishable under Sections 354-D of the Indian Penal Code, 1860 and under Sections 8 and 12 of the Protection of Children From Sexual Offences Act, 2012.

3. In this crime, the allegations are that the applicant used to follow the victim while going to school and would continuously wander in front of home by riding on motorcycle.

4. Thus, considering the allegations made in the FIR and though the learned APP and learned counsel for the victim/non-applicant No.2 are strongly opposing the

present application, I am of the opinion that, custodial interrogation of the applicant is not necessary and to avoid possibility of witnesses are being pressurised some stringent conditions can be imposed. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest in connection with Crime No. 528 of 2022 registered with Police Station Digras, Tq. Digras, District Yavatmal, for the offences punishable under Sections 354-D of the Indian Penal Code, 1860 and under Sections 8 and 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.15,000/- with one solvent surety in the like amount.
- c) The applicant shall not enter into the territorial jurisdiction of Digras City, Dist. Yavatmal, till the culmination of the trial, except for trial.
- d) The applicant shall provide his address along with name of the nearby Police Station and 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 the trial.
- e) Liberty is granted to the State and the victim to apply for cancellation of bail, in case of breach of

any condition or the applicant repeats the similar offence.

- f) The applicant shall not tamper with the prosecution witnesses.
- g) Fees of the learned counsel for the non-applicant No.2 is quantified as per Rules.

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

[ANIL S. KILOR, J.]