

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

Criminal Application (BA) No. 1348 of 2022

Sunny @ Mayur S/o Dheeraj Samundre

Versus

State of Maharashtra, through Police Station Officer, Police Station
Lakadganj, Dist. Nagpur

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

Court's or Judge's Order

Shri V.Mate, Advocate for the applicant.

Shri N.R.Rode, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 20th DECEMBER, 2022.

The applicant is seeking bail under Section 439 of the Code of Criminal Procedure in Crime No. 144 of 2017 registered with Police Station Lakadganj for the offence punishable under Sections 354(a), 354(b) 452, 376, 511 of Indian Penal Code and Sections 7 and 8 of Protection of Children from Sexual Offences Act.

2. In this case First Information Report was registered on 19th June, 2017 and the applicant was arrested. Then, the applicant was released on bail by the learned Additional Sessions Court, Nagpur vide order dated 24th July, 2017 passed in Misc. Cri. Application

No. 1714 of 2017. Thereafter, the chargesheet was filed and the case was registered as Special Child Protection Case No. 159 of 2017.

3. Due to non-appearance of the applicant before the learned trial Court, the learned trial Court issued non-bailable warrant which was executed on 20th September, 2022 and the applicant was taken into custody.

4. Thereupon, the applicant filed an application dated 27th September, 2022 for grant of bail which came to be rejected vide order dated 4th October, 2022. Hence, by way of present application the applicant is seeking bail.

5. Applicant has filed an undertaking that he shall attend the trial Court on each and every date and co-operate the trial Court to conclude the trial at the earliest, except the exemption from appearance is granted.

6. In light of, the undertaking given by the applicant, I am of the opinion that one opportunity needs to be granted to the applicant. 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. 144 of 2017 registered with Police

Station Lakadganj for the offence punishable under Sections 354(a), 354(b) 452, 376, 511 of Indian Penal Code and Sections 7 and 8 of Protection of Children from Sexual Offences Act, on furnishing P.R.Bond of Rs.25,000/- with a 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 to tamper with the evidence.

[ANIL S. KILOR, J.]

SACHINDANAND
K NAIR

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