

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1636 OF 2022

Rajendra Jagannath Musale

.... Applicant

Versus

The State of Maharashtra
and others

.... Respondents

.....
Mr. Aamol S. Sawant, Advocate for the Applicant
Mr. V.S. Badakh, APP for Respondents – State
.....

[CORAM : NITIN B. SURYAWANSHI, J.]

DATE : 13th JANUARY, 2023

ORDER :

1. The applicant apprehends his arrest in connection with Crime No. 430 of 2022, registered with Khultabad Police Station, District Aurangabad for offence punishable under section 354-A of the Indian Penal Code and sections 7, 8, 9 and 10 of the Protection of Children from Sexual Offences (POCSO) Act and sections 3(1)(w)(i), 3(1)(w)(ii) of the Scheduled Castes and Scheduled Tribe (Prevention of Atrocities) Act.

2. FIR is lodged by the victim alleging that on 29/09/2022, the applicant came from behind and groped her

and touched her improperly. The applicant has therefore committed offence punishable under section 354-A of the Indian Penal Code and sections 7, 8, 9 and 10 of the Protection of Children from Sexual Offences (POCSO) Act.

3. Heard learned advocate for the applicant/s and learned Additional Public Prosecutor for the State. Perused the papers of the investigation.

4. The applicant was granted interim protection, and he has co-operated in the investigation. Learned Additional Public Prosecutor submits that charge-sheet is filed on 09/12/2022, and the case is numbered as Special Case No. 385 of 2022. In view of conclusion of investigation, pre-trial custodial detention of the applicant is not necessary in the facts of the present case.

5. The application is, therefore, allowed by confirming the interim protection.

6. The applicant shall not tamper the prosecution evidence.

[NITIN B. SURYAWANSHI]
JUDGE

S.P. Rane