

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 10 OF 2023

Bhau Baban Ladhane @ Bhau

Baban Ladane

..Applicant

VS.

The State of Maharashtra

..Respondent

Adv. Brijesh Kiran Rathod for the Applicant.

Ms. A. A. Takalkar, APP for the State.

PSI Sakpal, Gorai Police Station.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 18, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail by the applicant- Bhau Baban Ladhane @ Bhau Baban Ladane, in connection with C.R.No. 51 of 2022 registered with Gorai Police Station, under sections 354 and 506 of the Indian Penal Code, 1860 and under section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The First Information Report was lodged on 16/11/2022. The incident occurred on 15/11/2022. The applicant was arrested on 16/11/2022 and now is in custody for 2 months.

It is alleged that the applicant who is closely related to the victim aged 13 years touched her inappropriately. The victim stated in her affidavit before the Sessions Court that the complaint came to be filed due to some misconception. She has no objection if the accused is granted bail. Investigating Officer has verified with the victim's father who stated that he and the victim have no objection if the applicant is released on bail.

4. No criminal antecedents are reported against the applicant. The charge-sheet has been filed and the investigation is complete. Having regard to the nature of the accusations and as the applicant is already in custody for a period of almost 2 months, the accused could be released on bail. Hence, the following order.

ORDER

(a) The applicant – Bhau Baban Ladhane @ Bhau Baban Ladane, in connection with C.R.No. 51 of 2022 registered with Gorai Police Station, shall be released on bail on furnishing P.R. bond in the sum of Rs.15,000/- with one or more sureties in the like amount.

(b) The applicant is permitted to furnish cash bail surety in the sum of Rs. 15,000/- for a period of 4 weeks in lieu of surety.

(c) The applicant shall report to the concerned police station as and when called for.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of case so as to dissuade him from disclosing the facts to Court or any Police Officer. The Applicant should not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, if there is any change.

5. The application is disposed of.

(M. S. KARNIK, J.)