

Versus

The State of Maharashtra and another ... Respondents

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Mr. Prashant Hagare for the Applicants.

Ms. Rutuja Ambekar, APP for the State.

Mr. Ranjeet Patil for Respondent No.2.

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CORAM: N.R. BORKAR, J.

DATED : 5 APRIL 2023

P.C. :-

This is an application filed under Section 438 of the Code of Criminal Procedure, 1973 for anticipatory bail.

2. The applicants are apprehending their arrest in Crime No. 22 of 2023 registered at Baramati City Police Station, Pune for the offences punishable under Sections 143, 147, 149, 354, 354-D, 327, 504, 506 of Indian Penal Code, Sections 8, 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 135 of the Maharashtra Police Act.

3. I have heard the learned Counsel for the applicants, the learned APP for the State and the learned Counsel for Respondent No.2.

4. The allegations against the applicants are of stalking and outraging the modesty of the victim. However, the victim in her statement recorded under Section 164 of Cr.P.C., has not supported the prosecution case.

5. This Court by order dated 24 February 2023 directed the applicants to deposit Rs.25,000/- each with the Tata Memorial Hospital. The learned counsel for the applicants submits that the applicants have deposited the said amount.

6. Considering the overall facts and circumstances of the case, I am inclined to grant anticipatory bail to the applicants. In the result, the following order is passed :

(i) Application is allowed.

(ii) In the event of arrest of the applicants in Crime No. 22 of 2023 registered at Baramati City Police Station, Pune for the offences punishable under Sections 143, 147, 149, 354, 354-D, 327, 504, 506 of Indian Penal Code, Sections 8, 12 of the Protection of Children from Sexual Offences Act, 2012 and Section 135 of the Maharashtra Police Act, they shall be released on furnishing P.R. Bond in the sum of Rs.25,000/- each with one or more sureties in the like amount.

(iii) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall cooperate in the investigation.

(N.R. BORKAR, J.)