



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

BAIL APPLICATION NO. 1475 OF 2023

SHRINATH BAPU HULLE ..APPLICANT
VS
STATE OF MAHARASHTRA & ANR. ..RESPONDENTS

Adv. Rahul B. Khot for the Applicant.
Ms. Veera Shinde, APP for the State.
Adv. Vilasini Balasubramanian for the respondent no.2.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : AUGUST 23, 2023

P.C. :

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the respondent no.2.
2. This is an application for bail in respect of the offence punishable under Sections 354-D, 504 of the Indian Penal Code (hereafter 'IPC' for short) read with Sections 8, 12 of the Protection of Children from Sexual Offences Act, 2012 (hereafter 'POCSO' for short), registered vide First Information Report (FIR) No.48/2023 with Gandhinagar Police Station, District Kolhapur.
3. The FIR is registered on 10/2/2023. The victim is 15½ years of age. The applicant was arrested on 11/2/2023. The

applicant is 19 years of age. It is alleged that there is a earlier FIR bearing No.307 of 2022 registered against the applicant for the offence punishable under Sections 376, 452, 506 of the IPC read with Section 4, 8, 12 of the POCSO Act. The applicant was released on bail. After releasing on bail, the applicant committed the offence which is subject matter of the present FIR. It is alleged that the applicant followed the victim.

4. I am informed that an application for cancellation of bail was moved by the complainant and while rejecting the application for cancellation of bail, an affidavit has been filed by the applicant that he will not enter the area of Karveer Taluka.

5. In my opinion, having regard to the facts and circumstances of the present case, though the application is vehemently opposed by learned APP and learned counsel for the respondent no.2, the applicant can be enlarged on bail. The applicant is a young boy of 19 years. The investigation is complete. The charge-sheet has been filed. Hence the following order.

ORDER

- (a) The application is allowed.

- (b) The applicant- Shrinath Bapu Hulle in connection with FIR No.48/2023 with Gandhinagar Police Station, District Kolhapur, shall be released on bail on his furnishing P.R. Bond of Rs.15,000/- with one or more sureties in the like amount.

- (c) The applicant shall report to the Investigating Officer of the Gandhinagar Police Station, District Kolhapur once a month every first Sunday of the month between 11.00 a.m. and 1.00 p.m.

- (d) The applicant shall not enter the area of Karveer Police Station except for attending the investigating officer.

- (e) The applicant shall not make any attempt to contact the victim.

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

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

6. The application is disposed of.

7. I express my gratitude for the able assistance rendered by the advocate – Ms. Vilasini Balasubramanian representing the respondent no.2.

8. The legal services authority may regularize the appointment of Ms. Vilasini Balasubramanian for the purpose of fees.

(M. S. KARNIK, J.)