

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3580 OF 2022

Yuvraj Bhaguji Kale

... Applicant

V/s.

State of Maharashtra and Anr.

... Respondents

.....

Ms. Savvy Kolhekar i/b. Mr. Aniket Vagal, Advocate for Applicant.

Ms. Anamika Malhotra, APP for Respondent-State.

Mr. Atharva Dandekar i/b. Mr. Tanveer Khan, Advocate for
Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 12 OCTOBER, 2023

P C:-

1. By this Application, Applicant is seeking bail in Crime No.56 of 2022 registered with Dattawadi Police Station, Pune for the offence punishable under Sections 354, 354-D and 506 of Indian Penal Code, 1860 (for short "IPC") and Sections 7 and 8 of the Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act").
2. It is the prosecution's case that Applicant had molested the daughter of first informant. He hugged her and ran away.
3. It is the contention of learned Counsel for the Applicant that Applicant and victim were knowing each other for last several years.

Applicant is innocent and has been falsely implicated in the present case by victim's family. A quarrel was held between victim's father and family of the Applicant on account of passage and parking area. Applicant is behind the bar more than one year. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the Application.

4. Learned APP submitted that, Applicant had molested the victim. Applicant and victim resides in the same area. If Applicant is released on bail he may threaten the prosecution witnesses. Hence, requested to reject the Application.

5. Learned Counsel for Respondent No.2 reiterates the submission of learned APP.

6. I have heard both the learned Counsel. Perused the FIR and charge-sheet. The allegations against the Applicant are that, Applicant had molested the victim when she was doing her work. Applicant is behind the bar more than one year. Investigation is completed and charge-sheet has been filed, yet trial has not commenced. It may take time to conclude the trial.

7. Considering the above, facts further detention of the Applicant is not required. In view of the above, I pass following

Order:

ORDER

- (i) Applicant be enlarged on bail in Crime No.56 of

2022 registered with Dattawadi Police Station, Pune, on executing P.R.Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

- (ii) Applicant shall attend the concerned police station once in a month i.e. on first Monday between 11.00 a.m. to 3.00 p.m. till framing of charge.
- (iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

8. The Application is allowed in the aforesaid terms and is accordingly disposed off.

9. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)