



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

930 BAIL APPLICATION NO. 697 OF 2024

Satyam Navnath Kute

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Vijay V. Deshmukh

APP for Respondent No.1: Mrs. Pratibha J. Bharad

Advocate for Respondent No.2 : Mr. P.P.Kothari

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 25th APRIL, 2024.

PER COURT :-

1. This is an application for granting bail under section 439 of the Code of Criminal Procedure, 1973 (for short "Cr.P.C.") in connection with crime No. 1798 of 2023 registered with Topkhana police station, District Ahmednagar for the offences punishable under Sections 354, 354-A of the I.P.C. and under Sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012. His application with similar prayer below Exh. 7 in Special Case No. 37 of 2024 came to be rejected by the learned Additional Sessions Judge (Court No.4), Ahmednagar, vide order dated 12.4.2024.

2. It is averred in the report that the informant who is 17 years old girl, went to the private class. There the applicant was working as a peon. He put a proposal of love to the informant but she refused for the same. On 27.12.2023, the applicant caught hold the informant.

She any how rescued herself and on the same day the report is lodged.

3. Learned advocate for the applicant submitted that the applicant is behind the bars since last four months. The investigation is over and charge sheet is filed. The applicant has roots in the society. The trial will take a long period. The further custody of the applicant is not necessary. It is lastly prayed to allow the application.

4. Learned A.P.P. for the respondent-State and learned advocate for the informant victim child strongly opposed the application and submitted that the applicant is involved in serious crime. He will pressurize the witnesses. It is lastly prayed to reject the application.

5. Perused the charge sheet, particularly the F.I.R. and the statements of witnesses. The practical investigation is over. The further custody of the applicant is not necessary. The applicant has roots in the society, he will not flee away from the trial, the trial will take a long period. Considering all these aspects, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

I. Application is allowed.

- II. The applicant in connection with crime No. 1798 of 2023 registered with Topkhana police station, District Ahmednagar for the offences punishable under Sections 354, 354-A of the I.P.C. and under Sections 8, 10 and 12 of the Protection of Children from Sexual Offences Act, 2012 be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-
- a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
 - b) If any breach of the above condition is noticed by the trial court or the prosecution, the trial court is at liberty to cancel the bail of the applicant without reference to this Court.

(SANJAY A. DESHMUKH, J.)

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