



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1384 OF 2024

MANOJ SURESH SHIRSATH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Shashikant E. Shekade
APP for Respondent No.1 : Mr. A. S. Shinde
Advocate for Respondent No.2 : Mr. P. P. More
...

CORAM : S. G. MEHARE, J.
DATE : 01-10-2024

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P for respondent No.1 and the learned counsel for respondent No.2.
2. The applicant seeks bail in C.R.No.0217 of 2024 registered with Police Station Kotwali, District Ahmednagar, for the offences punishable under Sections 354D of the Indian Penal Code and Sections 11 and 12 of the Protection of Children from Sexual Offences Act, 2012.
3. It has been alleged against the applicant that on the day of the incident, the applicant was following the victim girl and saying her that he like her too much and he wanted to marry her. He also told her that he also follower her when she goes to School.

However, she did not talk to him and looked at him. The applicant was arrested on 01.03.2024. Since then, he is behind bar.

4. The learned counsel for the applicant submits that there is a dispute on the drainage between the applicant and her family. Therefore, a false report has been lodged. He is languishing in jail for sufficient time. He is ready to stay away from Ahmednagar town till the trial is concluded, if bail is granted to him. Nothing is recovered from him.

5. The learned A.P.P. for the State and the learned counsel for the victim have resisted the application on the ground that in a identical offence, the applicant was arrested long back in 2009. However, due to the acts of the applicant, the children of the brotherhood of the applicant afraid and stopped going to the school. There is possibility of repeating the crime.

6. Considering the nature of the offence and the defence of the applicant as well as completion of the investigation, the applicant may be granted bail on certain conditions including the condition proposed by the learned counsel for the applicant that he would not stay in the Ahmednagar town till the trial is concluded. Hence, the order:-

ORDER

i) The application is allowed.

- ii) Applicant – Manoj Suresh Shirsath be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
- (a) He should not tamper with the prosecution witnesses.
 - (b) He should not contact the victim or her relatives.
 - (c) He should control his relatives from threatening the victim or her relatives, if any, till the trial is concluded.
 - (d) He should not enter Ahmednagar town till the conclusion of the trial, except for attending the trial.

(S. G. MEHARE)
JUDGE

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