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

950 ANTICIPATORY BAIL APPLICATION NO. 1499 OF 2024

Ajay Shantaram Patil

VERSUS

The State Of Maharashtra And Another

....

Mr S. G. Shinde, Advocate h/f Mr A. K. Bhosale, Advocate for
Applicant

Mr P. K. Lakhotiya, A.P.P. for Respondent No.1/State

Ms Devika Patil, Advocate h/f Mr N. L. Choudhari, Advocate for
Respondent No.2

CORAM : R. M. JOSHI, J.

DATE : 17th October, 2024

PER COURT :-

1. Applicant apprehends arrest in connection with Crime No.0397 of 2024, registered with M.I.D.C. Police Station, Jalgaon, Dist. Jalgaon, for the offences punishable under Sections 354 of the Indian Penal Code and under Sections 7, 12, 17 and 18 of the Protection of Children from Sexual Offences Act.

2. The first informant is aged about 14 years. She claims that her mother had obtained Rs.2,00,000/- from Vandana Ajay Patil. It is alleged that, Vandana, as well as her sister Suvarna were insisting for repayment of said amount. It is stated that in

(2)

respect of said loan, an amount of Rs.1,40,000/- was due to them. There is allegation in respect of incident occurred on 12/06/2024, wherein it is said that, as the mother of the informant did not pay the interest amount, she, alongwith her sister, were taken away by the applicant and others. There are other allegations made in the first information report, which are not reproduced herein. There is also allegation in respect of incident dated 18/06/2024 at about 2:00 p.m. There is allegation that present applicant outraged modesty of the informant.

3. Learned counsel for applicant submits that, in order to avoid repayment of the loan amount, the false compliant has been lodged by the mother of the informant. He submits that, there is no substance in the allegations and there is delay of about five days in lodging first information report.

4. Learned APP and learned counsel for informant opposed this application by citing seriousness of the crime.

5. Undeniably, loan was obtained by the mother of informant from applicant and his wife and an amount of

(3)

Rs.1,40,000/- was due to them. In this background, the delay in lodging first informant report assumes importance. There is no satisfactory explanation given in first information report for not lodging report immediately.

6. Perusal of the Police papers indicate that, during the investigation, it was found that, informant was attending the school in the afternoon, whereas applicant was on duty in morning session. Except for statement of informant herself and her parents, there is no iota of evidence to indicate that such incident is occurred. This Court *prima facie* finds substance in the submissions of the learned counsel for the applicant that though informant, applicant is sought to be framed in this crime.

7. In view of the above, this is a fit case for granting bail to the applicant. Hence, this application stands allowed with the following directions :-

ORDER

(i) In the event of arrest of applicant in connection with Crime No.0397 of 2024, registered with M.I.D.C. Police Station, Jalgaon, Dist.

(4)

Jalgaon, for the offences punishable under Sections 354 of the Indian Penal Code and under Sections 7, 12, 17 and 18 of the Protection of Children from Sexual Offences Act, he be released on bail on furnishing PR Bond of Rs. 15,000/- (Rs. Fifteen Thousand only) with one surety in the like amount.

(ii) He shall attend the concerned police station once in a week.

(iii) He shall not contact the witnesses directly or indirectly.

(iv) He shall not interfere with the evidence in any manner whatsoever.

(v) He is further directed to cooperate the investigating agency for further investigation.

(vi) Learned APP to communicate this order to the concerned Investigating Officer.

(R. M. JOSHI)
Judge