

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2959 OF 2023

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Ganesh Siddheshwar Padule	...	Applicant.
V/s.		
The State of Maharashtra & Anr.	...	Respondents.

Shri Sachin Padaye i/b Shri Purushottam G. Chavan, Adv. for Applicant
Shri Pandurang H. Gaikwad-Patil, APP for the State.
Ms Davinder Sabharwal, Advocate (appointed) for Respondent No.2.

CORAM : ANIL S. KILOR, J.

DATED : 20TH JUNE, 2024.

PC:

1. Heard.
2. By this application under Section 438 of the Code of Criminal Procedure the applicant is seeking pre-arrest bail in Crime No.617 of 2023, registered with Police Station, Pandharpur Taluka, District: Pandharpur for the offences punishable under Sections 354, 354D read with Section 34 of the Indian Penal Code and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. In the present matter, the allegations are that the applicant used to follow the victim while going to the school and accordingly the offence was registered against the applicant. Whereas, it is the case of the applicant that he has been falsely implicated in the alleged offence as the applicant was repeatedly insisting for repayment of loan taken by the father of the victim from Bhairavnath Sugar Factory, Unit No.3, to which the applicant is a guarantor.
4. This Court, considering the allegations made in the FIR, granted *ad-interim* protection to the applicant vide order dated 25/10/2023 and since then the applicant is on bail.
5. Considering the allegations made in the FIR and to address the apprehension expressed by the learned APP and the learned counsel for the respondent No.2 that if the applicant is released on bail he may pressurize the victim or the witnesses, I am of the opinion that the order dated 25/10/2023 needs to be confirmed by imposing certain stringent conditions.
7. Accordingly, I pass the following order:
 - i) The Criminal Application is allowed.
 - ii) The order dated 25/10/2023, granting *ad-interim* bail to the applicant, is hereby confirmed.

- iii) The applicant shall not enter the territorial jurisdiction of Pandharpur Taluka Police Station till conclusion of the trial.
- iv) Applicant shall provide his address and the name of the nearby police station to the Investigating Officer, which he shall attend on 1st and 16th day of each month between 12:00 noon and 2:00 pm, till conclusion of the trial;
- v) The applicant shall not contact the victim or her relatives and shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- vi) Liberty is granted to the State to apply for cancellation of bail if the applicant commits similar offence or any of the conditions are flouted by the applicant.

The Criminal Application is **disposed of** accordingly.

Fees of Ms Davinder Kaur Sabharwal, learned counsel appointed to represent the respondent No.2, be quantified as per the Rules.

(ANIL S. KILOR, J)