

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 5197 OF 2024

Dineshkumar Keshnath Sah

...Applicant

Vs.

The State of Maharashtra and Others

...Respondents

Mr. Shekhar A. Ingawale, Advocate for Applicant.

Mrs. G. P. Mulekar, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 13th DECEMBER, 2024

PC:-

- 1) Heard.
- 2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 237 of 2024 registered with Shirol MIDC Police Station, Kolhapur, for the offences punishable under Sections 137(2), 64 (2) (i) (f), 65(2), 66, 103(1) Bhartiya Nyaya Sanhita, 2023, Sections 4, 6, 8, 10 and 12 of the Protection of Children From Sexual Offences Act, 2012 and Section 75 of Juvenile Justice Act, 2015.
- 3) The allegations against the applicant is that he slapped the minor girl and accordingly the charge -sheet against the applicant is filed under Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015. The maximum punishment under the said provision is three years.

Whereas, the applicant is in jail from last four months and the charge-sheet has been filed.

4) Thus, considering the above referred fact, though the learned APP strongly opposed the application, I am of the opinion that this is a fit case for grant of bail. Accordingly, I pass the following order.

ORDER

- i The Bail Application is allowed;
- ii It is directed that the Applicant shall be released on bail in Crime No. 237 of 2024 registered with Shirolu MIDC Police Station, Kolhapur, for the offences punishable under Sections 137(2), 64 (2) (i) (f), 65(2), 66, 103(1) Bhartiya Nyaya Sanhita, 2023, Sections 4, 6, 8, 10 and 12 of the Protection of Children From Sexual Offences Act, 2012 and Section 75 of Juvenile Justice Act, 2015, on furnishing PR. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii The applicant shall attend the said Police Station on 1st day of every month between 10.00 am to 11.00 am, till the conclusion of the trial except on the date of trial;
- iv. The Applicant 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;
- v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;

vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.

vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]