

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

ANTICIPATORY BAIL APPLICATION NO.1309 OF 2024

Pratik Dagadu Metkari

..Applicant

Versus

The State of Maharashtra

..Respondents

Ms. Tanvi Tapkire, for Applicant.

Mr. C. D. Mali, APP for State/Respondent.

CORAM :- SARANG V. KOTWAL, J.

DATE :- 09 MAY 2024

P.C. :-

1. The Applicant is seeking anticipatory bail in connection with C.R.No.95 of 2024 registered at Aatpadi Police Station, District Sangli on 1st March 2024 under Sections 354, 354-D of the Indian Penal Code and under Section 11(iv) of Protection of Children from Sexual Offences Act, 2012.

2. Heard Ms. Tanvi Tapkire, learned counsel for the Applicant and Mr. C. D. Mali, learned APP for the State.

3. The F.I.R. is lodged by the informant herself. She was 14 years and 3 months of age. She has narrated three instances.

On 26th February 2024 the Applicant threw a chit in front of her after the school hours. He had written that she should answer his phone calls. The second incident is on 29th February 2024. On that day at about 4:00 p.m. the Applicant approached the victim and called her to accompany him and thus outraged her modesty. Third incident is about sending of some messages on that very date from phone number of one Rahul Mane. Those messages were objectionable.

4. Learned APP seeks time as the Investigating Officer is not present. Therefore, I have heard learned counsel for the Applicant for consideration of ad-interim relief. It is submitted that the Applicant had friendly relations with the informant's elder sister and when it was found out by the informant's father that this false case is lodged against the Applicant. It is submitted that the allegations in the F.I.R. are false. In any case, they are not so serious warranting the Applicant's custodial interrogation. The learned counsel for the Applicant further submitted that the Applicant is 21 year old boy.

5. Since this a matter under POCSO, it is necessary to issue Notice to Respondent No.2 the first informant. On the basis of submissions made by the learned counsel for the Applicant, the Applicant can be protected by way of ad-interim relief till the next date.

6. Hence, the following order.

ORDER

- i) In the event of his arrest in connection with C.R. No.95 of 2024 registered at Aatpadi Police Station, District Sangli till the next date, the Applicant is directed to be released on bail on his executing P. R. bond in the sum of ₹30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.
- ii) This order shall operate till 5th July 2024.
- iii) The Applicant shall attend the concerned Police Station as and when called and shall cooperate with the investigation.
- iv) Stand over to 5th July 2024.

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(SARANG V. KOTWAL, J.)