

3. Having gone through the charge-sheet and the material collected by the Investigating Officer during the investigation, it is evident that the informant is a neighbour of the victims and in the complaint there is a mention of sexual assault committed by the applicant as well as the co-accused. However, in the statement by one of the victims she has not made any allegation against the applicant. As far as allegations made by another victim in her statement under Section 164 of the Code of Criminal Procedure is concerned, it is evident that the cousin of the victims is the main accused, who repeatedly committed sexual assaults on the victims. The applicant is a friend of the main accused and certain allegations of sexual assault are made against the applicant.
4. The learned APP and the learned counsel for the respondent No.2 strongly opposed the application.
5. However, considering the fact that the charge-sheet has been filed and further the period of incarceration i.e. about 1½ years, I am of the opinion that the custody of the applicant is not necessary. Moreover, there are no antecedents against the applicant.
6. In the circumstances, I pass the following order:
 - i) The Criminal Application is allowed.

- ii) It is directed that the applicant shall be released on bail in connection with Crime No.38 of 2023, registered with Khadak Police Station, Pune for the offences punishable under Sections 376, 376(2)(f), 376(2)(n), 354 read with Section 34 of the Indian Penal Code and Sections 4, 5(l), 5(m), 5(n), 5(p), 6, 8 of the Protection of Children from Sexual Offences Act, 2012, on furnishing PR.Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- iii) The applicant shall not enter within the territorial jurisdiction of Khadak Police Station, District : Pune City, till conclusion of the trial, except for attending the trial.
- iv) The applicant shall provide address of the nearby Police Station which he shall attend on 1st and 16th day of each month between 10:00 am and 11:00 noon, except on the date of the trial, till conclusion of the trial.
- v) 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;
- vi) Liberty is granted to the State for cancellation of bail if the applicant commits similar offence or breaches any of the conditions.

- vii) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

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

(ANIL S. KILOR, J)