

report of the victim, prima facie, it does not support the case of the prosecution about penetrative sexual assault and in the circumstances, as it creates doubt about the prosecution case, I am of the opinion that since the charge-sheet has been filed after completion of the investigation, further custody of the applicant is not necessary.

4. The learned counsel for the respondent no. 2 and the learned APP opposed the application and submit that if the applicant is released on bail who is resident of same village where the victim resides, there is every likelihood that he may pressurize the victim as well as other witnesses. The said apprehensions can be addressed by imposing certain stringent conditions.

5. At this stage, the learned counsel for the applicant, on instructions, makes a statement that the applicant is ready to abide by any condition, including the condition not to enter into territorial jurisdiction of Pune, till the conclusion of the trial.

6. Accordingly, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant be released on bail in Crime No.1173 of 2023, registered with Indapur Police Station, District : Pune for the offences punishable under Sections 376, 376(2) (n), 323, 506 of the Indian Penal Code and Sections 4, 6 and 8 of the Protection of

Children from Sexual Offences Act, (POCSO, Act)., on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;

iii) The applicant shall not enter into the territorial jurisdiction of Pune, till the conclusion of the trial;

iv) The applicant shall provide their address and name of the nearby police station to the IO, which they shall attend the said Police Station on 1st and 16th day of every month between 10.00a.m. to 11.00 a.m., till the conclusion of the trial except on the date of 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 to apply for cancellation of bail in case of any breach of condition or if the applicant commits similar offence;

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

7. The application is disposed of.

(ANIL S. KILOR, J)