

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

CRIMINAL BAIL APPLICATION NO. 2507 OF 2024

Jagannath Shankar Pawar ...Applicant

VERSUS

The State of Maharashtra and Anr.. ...Respondents

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Mr. Rupesh Zade, Advocate for the Applicant.

Mr. C. D. Mali, A.P.P. for the Respondent – State.

Mr. Pranot P.P., for Respondent No.2 appointed through Legal Aid.

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CORAM : N. R. BORKAR, J.
DATE : 17.04.2025.

P.C.:

1. The learned counsel for the applicant seeks leave to correct the crime number and the name of police station. Leave as sought is granted. Necessary amendment shall be carried out forthwith.
2. This is an application for regular bail.
3. The applicant came to be arrested in Crime No. 575 of 2023 registered at Daund Police Station, for the offences punishable under Sections 354 & 323 of Indian

Penal Code and Section 8 & 12 of the Protection of Children From Sexual Offences Act.

4. On the date of incident which took place on 08.07.2023, the victim and her brother were playing in front of their house. It is alleged that the applicant came there and touched her inappropriately.

5. I have heard the learned counsel for the applicant and the learned APP for the respondent/State.

6. The learned counsel for the applicant submits that due to previous dispute, the applicant came to be involved in false case. It is submitted that the applicant is in jail for one year and nine months and the maximum punishment for the alleged offence is five years. It is further submitted that the trial is not likely to be concluded in near future as except framing of charge, there is no progress in the trial.

7. On the other hand, learned APP for the respondent/State and learned counsel for the respondent No.2/victim submit that at the relevant time victim was only five years old. It is submitted that considering the nature of crime the applicant may not be released on bail.

8. The applicant is in jail for one year and nine months. The trial is not likely to be concluded in near future as except framing of charge there is no progress in the trial. There are no other criminal antecedents. Considering the said facts, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 575 of 2023 registered at Daund Police Station, for the offences punishable under Sections 354 & 323 of Indian Penal Code and Section 8 & 12 of the Protection of Children From Sexual Offences Act, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

9. Application stands disposed of accordingly.

(N. R. BORKAR, J.)