

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.4295 OF 2024

Sambhaji R. Gite
V/s.
The State of Maharashtra & Anr

...Applicant
...Respondents.

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Mr. Narayan G.Rokade a/w. Mr. Rakesh Sonak, Mr. A. Suryawanshi and Harish Jadhav for the Applicant.
Ms. Veera Shinde, APP a/w. Mr. Swapnil Walvi, APP for the Respondent/State.
Mr.Siddharth R. Ghodke i/b Mr. Vikrant Kadam for the Respondent No.2.
Mr. Timir S. Pawar, Alandi Police Station is present.

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CORAM : N.R. BORKAR, J.
DATE : 10.01.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.65 of 2024 registered at Alandi Police Station, Pimpri-Chinchwad for the offences punishable under Sections 354, 323, 324, 504 and 506 of the Indian Penal Code, Sections 8 & 10 of the Protection of Children from Sexual Offences Act and Section 75 of the Juvenile Justice (Care and Protection of Children) Act.
3. The allegations against the applicant are of sexual assault. The victim is the daughter of the present applicant.

4. I have heard the learned counsel for the applicant and the learned APP for the respondent – State and the learned counsel for the respondent No.2.
5. The mother of the victim has filed the affidavit that the FIR was lodged due to some misunderstanding.
6. The victim is present before the Court. Learned APP has interacted with her. The learned APP submits that the victim has no objection if the present applicant is released on bail.
7. The applicant is in jail for about 10 months. At present, the victim is staying with her maternal grandparents. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No. 65 of 2024 registered at Alandi Police Station, Pimpri-Chinchwad for the offences punishable under Sections 354, 323, 324, 504 and 506 of the Indian Penal Code, Sections 8 & 10 of the Protection of Children from Sexual Offences Act and Section 75 of the Juvenile Justice (Care and Protection of Children) 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 a.m. to 2.00 p.m. till conclusion of the trial.

D] It would be open to the State to move an application for cancellation of bail, if any complaint is received from the victim against the present applicant.

[N.R.BORKAR, J.]