



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.266 OF 2025

Arman Husain s/o Abrar Husain
Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Lakadganj, Nagpur and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. N. S. Padia, Counsel for the applicant.
Ms. H. N. Prabhu, APP for non-applicant/State.
Mr. Pratik Jain, Counsel h/f Mr. M. R. Joharapurkar, Counsel for the
non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 25/03/2025

1. The applicant came to be arrested on 17.07.2024 in connection with Crime No.486/2024 registered with Police Station Lakadganj, Nagpur for the offence punishable under Sections 8 and 12 of the Protection of Children from Sexual Offences Act.

2. Heard learned Counsel for the applicant who submitted that the applicant is prosecuted on the basis of report lodged by father of the victim boy on an allegation that the victim boy was subjected for the sexual harassment by the present applicant when he was proceeding from the lift by touching to his private parts. On the basis of said report, police have registered the crime. He submitted that now the investigation is already completed, charge-sheet is

filed and further incarceration of the present applicant is not required. Moreover, the offences are punishable with imprisonment of less than seven years. In view of that, the applicant be released on bail.

3. Learned APP for the State and learned Counsel for the non-applicant No.2 strongly opposed for the same on the ground that considering the act of the accused which is not only stated by the victim boy but also recorded in a CCTV footage which shows the involvement of the present applicant. If he is released on bail, there is possibility of repeating the said offence. In view of that, the application deserves to be rejected.

4. On hearing both the sides and on perusal of the investigation papers, no doubt the involvement of the present applicant revealed from the investigation, however, considering the quantum of punishment provided and the investigation is completed, charge-sheet is filed, further incarceration of the present applicant is not required, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant **Arman Husain s/o Abrar Husain** shall be released on bail in connection with Crime No.486/2024 registered

with Police Station Lakadganj, Nagpur for the offences punishable under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant shall not enter into the jurisdiction of Lakadganj Police Station, till culmination of the trial.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

(v) The applicant shall attend the proceeding before the Special Court without seeking any exemption unless there are exceptional circumstances.

(vi) The applicant shall attend the concerned Police Station twice in a month on 1st and 15th of every month till the culmination of the trial.

(vii) The applicant shall furnish his local address along with the address proof along with the names of two relatives and their addresses with the address proof.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)