



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

CRIMINAL APPLICATION (BA) NO. 487 OF 2025

(Sheikh Latif Sheikh Aziz

Vs.

State of Maharashtra, Thr. P.S.O. Police Station, Dahihanda, Tah. &
District Akola & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. N.R. Tekade, Advocate for the Applicant.

Ms. Trupti Udeshi, APP for the Non-applicant No.1/State.

Mr. R.R. Maddalwar, Advocate (Appointed) for the Non-applicant No.2/Victim

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 23rd JUNE, 2025

1. Heard.
2. The Applicant came to be arrested on 03.01.2025, in connection with Crime No. 1/2025 registered with Police Station Dahihanda, District Akola for the offences punishable under Sections 74, 75, 127(1) of Bhartiya Nyaya Sanhita, 2023 and Sections 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.
3. Heard learned Counsel for the Applicant who submitted that, the crime is registered on the basis of the report lodged by the Victim girl aged about 13 years on an allegation that on 01.01.2025 at about 09.00 a.m., when she was travelling alongwith her friends to attend the school, the

present Applicant has molested her and outraged her modesty by inappropriately touching her and pressing her chest. On the basis of the said report Police have registered the crime against the present Applicant.

4. Learned Counsel for the Applicant, submitted that the present Applicant is suffering from various ailments, the investigation is already completed and due to the enmity in village the Applicant is arraigned in the alleged offence, and therefore, his further incarceration is not required and he be released on bail.

5. Learned APP for the Non-applicant No.1/State and learned Counsel for the Non-applicant No.2/Victim, strongly opposed the application and submitted that a 13 year old girl is subjected of outraging her modesty by the present Applicant who is 47 years old man. The Victim's condition due to the said incident is affected and she is so scared that she is not attending the school also. In view of that, the Application deserves to be rejected.

6. On hearing both the sides and on perusal of the investigation papers it reveals that, the statement of the Victim and the statement of the other witnesses discloses the involvement of the present Applicant in the alleged offence. However, considering the limited punishment is imposed for the said offences and investigation is already completed and charge-sheet is already filed, further incarceration is not required. However, considering the nature of the offence some conditions are required to be imposed. In view of that,

the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **allowed**.
- ii. The Applicant – Sheikh Latif Sheikh Aziz in connection with Crime No.1/2025 registered with Police Station Dahihanda, District Akola for the offences punishable under Sections 74, 75, 127(1) of Bhartiya Nyaya Sanhita, 2023 and Sections 8 & 12 of the Protection of Children from Sexual Offences Act, 2012, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- iii. The Applicant shall not enter into the vicinity of Village Pati, District Akola till the culmination of the trial.
- iv. The Applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
- v. The Applicant shall furnish his detail address with address proof where he is intending to reside after he is released on bail.

- vi.** The Applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.
 - vii.** Fees of the learned Appointed Counsel for the Non-applicant No.2 be quantified as per rules.
- 7.** Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)