

CRI.Bail Appln.no.3686/16**Order Below Ex.1.**

1] The applicants have moved this court under Section 439 of The Code of Criminal Procedure of the offences punishable under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 and under Sections 363 and 354 of the Indian Penal Code. It is alleged that the complainant went to farm house for grazing her cattle. It is further alleged that the applicants and other unknown persons lift the complainant and took her to river side. It is further alleged that when the complainant shouted loudly, the applicants gave blow to her and ran away. FIR thus, came to be lodged against the applicants.

2] It is contended that the applicants have been falsely implicated in this case. No custodial interrogation is necessary. There are no bad antecedents against the applicants. They are permanent resident of Pune, having roots over there. Hence, this is the application.

3] The application is opposed by the State by filing say. It is contended that offence is serious. Victim girl is minor. It is submitted that if the applicants is released on bail, there is possibility of repeated crime and tampering with the witnesses. Investigation is yet to complete. The rejection is thus prayed for.

4] Heard learned counsel for both the sides. Perused the record. The applicants and other accused lifted the victim girl and took her towards river side and gave blow to her and ran away. Considering the allegations under section 354 of I.P.C. at this stage cannot be attracted. There are no name of the applicants in the FIR. Hence, in my view the personal custody of applicants are not required for the purpose of investigation. Under the circumstance I am satisfied to enlarge the accused on bail. With this, I proceed to pass the following order -

ORDER

- 1] The application is allowed.
- 2] The applicants Ramdas @ Dada Raju Taware and Shankar @ Balu Chandrakant Tarade be released on their executing P. R. bond of Rs. 15,000/-, with one surety in the like amount.
- 3] The applicants shall supply documentary evidence of their permanent address and shall not tamper with the prosecution witnesses in any manner.
- 5] The applicants shall report to the concerned police on every Monday between 4.00 p.m. to 5.00 p.m. till filing of the charge-sheet.
- 6] The applicants shall not meet the victim girl till the trial is over.

Pune.

Date – 26.10.2016

(Mangala J. Dhote)

Additional Sessions Judge, Pune.

“ I affirm that the contents of the P.D.F. File Judgment are same word for word as per original judgment.

Name of Steno - S.V.Thakar,

Court Name - Mangala J Dhote, Additional Sessions Judge,
Pune.

Date of order - 26.10.2016

Order signed by P.O. - 26.10.2016

Order uploaded on - 02.11.2016

