

CRI.B.A. No.276/2016**Order Below Ex.1.**

1] The applicant has moved this court under Section 439 of The Code of Criminal Procedure of the offences punishable under Section 3,4, 5(L) (F),6 of the Protection of Children from Sexual Offences Act, 2012 and under Section, 363, 366, 376 (2) (I) (N), 376(D) of the Indian Penal Code. It is alleged that on the day of incident co-accused forcibly kidnapped the minor victim girl ie complainant and made sexual assault on her. This applicant introduced the victim girl to these accused persons.FIR thus, came to be lodged against the applicant.

2] It is contended that the applicant has been falsely implicated in this case. He has not committed any offence. The applicant is the friend of the main accused. There is no direct or circumstantial evidence against the applicant. Investigation is practically over. There are no bad antecedents against the applicant. He is 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 the offence is serious. Victim girl is minor. if the applicant 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. It seems from the record that the main accused who committed the sexual assault are the friends of this applicant. No specific role so far as kidnapping and sexual assault is concerned, is attributed to this applicant. His role only is to the effect that he had introduced the victim girl to main accused. Moreover, he was not present when the incident took place. Under the circumstance I am satisfied to enlarge the accused on bail. Moreover, the applicant is the permanent resident of place mentioned having roots over there. Hence in my view the personal custody of applicant is not required for the purpose of investigation. With this, I proceed to pass the following order.

ORDER

- 1] The application is allowed.
- 2] The applicant Sagar @ Dadya Siddhu Ranjangi be released on executing P. R. bond of Rs. 15,000/, with one surety in the like amount.
- 3] The applicant shall supply documentary evidence of his permanent address and shall file affidavit in support thereof.
- 4] The applicant shall not tamper with the prosecution witnesses in any manner and shall co-operate the investigating agency as and when required.
- 5] The applicant shall not meet the victim girl till the trial is over.

Pune.

(Mangala J. Dhote)

Dated/ 02 -02-2016

Additional Sessions Judge, Pune.

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

Name of Steno. :- S.U.Duraphe

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