

ORDER BELOW EXH. 1

1. This is bail application under Sec. 439 of Cr.P.C. for grant of bail pending trial.

2. As per story of the prosecution that, on 21.04.2018 at around 19.17 hrs. when victim had gone at forest area due to natural call, accused applicant came from backside and caught her right hand at the wrist and dragged her near to him and said that 'I like you very much' and did the acts causing damage to her modesty and tried remove her upper side i.e. kurta of punjabi dress and she begin to shout. Due to this accused threatened to kill her if she shouts. On the basis of the report lodged by the victim C.R.No. 31/2018 under Sec. 354-A of I.P.C. and Sec. 8, 12 of the POCSO Act has been registered with Velha Police Station. Thereafter, accused was arrested on 23.04.2018.

3. By this application applicant accused contends that he is innocent. The substantive investigation is already completed. There is no any criminal background in respect of the present accused. He is ready and willing to furnish the bail, therefore, he claimed bail.

4. Ld.A.P.P. opposed the application by filing his say overleaf the application and reiterated prosecution case. It is contended that stringent conditions be imposed if bail is granted by this court.

5. Heard Ld.Counsel for the applicant and Ld.A.P.P. for the State. Perused case papers. It appears that there are grounds for believing that information is well founded against the accused. The substantive investigation is already completed. There is no criminal antecedents against the applicant accused. Accused aged about 21

u/p
8/5/2018

... 2 ...

Bail Appln.No. 1628/2018

yrs. In such circumstances if accused is detained with harden criminal, his future will spoil. Therefore, considering the nature of offence I am of the opinion that applicant accused is entitled for bail. However, interest of prosecution can be safeguarded by imposing certain stringent conditions. Thus, following order.

O R D E R

1. Cri.Bail Appln. No. 1628/18 is hereby allowed.
2. Applicant Shivaji Balu Dhebe in C.R.No. 31/2018 registered with Velha Police Station, be released on bail upon furnishing P.R.Bond in the sum of Rs. 25,000/- with one or two solvent sureties in the like amount.
3. He shall attend the concerned police station whenever directed by the I.O. in writing and co-operate the investigating officer in further investigation.
4. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case.
5. If the applicant committed breach of any conditions, the prosecution is at liberty to approach this court for cancellation of the bail.

Dt. : 08.05.2018


(S. H. Gwalani) 8/5/2018
I/c. Special Judge (POCSO), Pune.