

ORDER BELOW EXH.1

1] Perused application and say. Heard Advocate for applicant and APP for the State.

2] This is first bail application filed under section 439 of Cr.P.C. by applicant in respect of his arrest in C.R. no. 189/18 registered at Rajgad Police Station for the offence punishable under section 354D,509,341,143,147,148,149,324,337 of the Indian Penal Code and under section 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim lodged report stating that in March-2018 when she went to her school for 10th std. Examination, applicant came near her bus stop on Pulsar motorcycle, he stopped his vehicle and without any reason started shouting. Later on when she was going or coming from the school, applicant followed her and was shouting by seeing her. In July-2018 applicant looked at her in whimsical manner, so she narrated incident in her house, her brother convinced applicant. On 03.08.2018 when victim was returning from her college near Bhor S.T. Stand in lonely place, applicant came, hold her hand and pulled her near him. She pushed him and ran away. She narrated incident to her family members. Her brother and other family members went to convince applicant, applicant and his colleagues came along with sticks and beat her brother and other family members by means of stick. They also have thrown stones and caused injuries to Akshay Kakade.

3] According to applicant he is falsely implicated in this matter. Incident took place in March-2018 but no immediate report was filed. Applicant is only 20 years old and taking education. He has no criminal antecedents and resident of Bhor, Dist-Pune. He is ready to abide the conditions. Hence, he prayed to release him on bail.

4] APP and I.O. objected this application on the ground that investigation is in progress. Applicant will pressurize victim and witnesses.

There is possibility of tampering prosecution evidence. So, they prayed to reject the application.

5] Allegations against the applicant are serious. Applicant is interrogated. Pulsar motorcycle and sticks are seized. Therefore, considering allegations and nature of offence investigation is practically over. Personal custody of applicant is not required. Applicant is 20 years old and taking education. Applicant is resident of Bhor, Dist-Pune. Applicant has no criminal antecedents. No purpose would serve by keeping the applicant behind bar for unknown period. Due to all above reasons application deserves to be allowed with following order -

ORDER

- 1] The application is allowed.
- 2] The applicant Rushikesh Dattatraya Tanpure be released on executing P.R. bond of Rs.20,000/- with one or two solvent sureties in the like amount.
- 3] The applicant shall not tamper the prosecution witnesses in any manner.
- 4] The applicant shall attend Rajgad Police Station on every Monday between 11.00 a.m. to 2.00 p.m. till the charge-sheet is filed.
- 5] The applicant shall not meet the victim and threat and pressurize the victim.
- 6] The applicant shall co-operate investigating machinery as and when required.
- 7] Prior to furnishing surety, the applicant shall submit his address proof, mobile number and inform about the change in address and mobile number.

Pune.
Date – 14.08.2018.

(R.V.Adone)
Addl.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	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 14.08.2018
Order signed by P.O.	- 14.08.2018
Order uploaded on	- 16.08.2018