

ORDER BELOW EXH.1

1] This is an application for bail filed by the applicant u/s. 439 of Code of Criminal Procedure in connection with CR No. 649/2023 registered with Chinchwad police station for the offences punishable under Sections 354-A, 354-D, 506 of the Indian Penal Code and under Sections 11,12,16,17 of the Protection of Children from Sexual Offences Act. [Hereinafter the Indian Penal Code referred to as “IPC” and the Protection of Children from Sexual Offences Act referred to as “POCSO Act” for the sake of brevity.]

2] The prosecution has filed say and opposed this bail application.

3] Heard Ld. Advocate for the applicant and Spl.P.P. for the State. Perused application, say filed by the prosecution and police papers.

4] The mother of the victim has lodged a report against Bunty Mane on 13.12.2023. The victim is 16 years and 7 months old. Accused Bunty Mane was stalking the victim since last three months till 13.12.2023 and he threatened her that, “तुला उचलून नेईन, तुला काहीतरी करेन फेकून देईन, माझेकडे पालघण आहे. मी चिंचवडचा भाई आहे मी जेव्हा जेव्हा फोन करेन तेव्हा फोन उचलत जा आणि फोन करत जा मला फोन नाही केलास तर तू बघून घे तुझ काय होईल ते? तु मला बोलली नाहीस तर, तुला तुझ्या आई वडिलांना मारून टाकील, मी तुझ्या तोंडावर अॅसिड टाकीन”. Further Bunty Mane entered into the parking of the Surve class and pulled hand and clothes of the victim and told her to sit in his Car and

committed the offence. The mother of the victim called Bunty Mane in her house and asked about his acts. Bunty Mane threatened to the informant also and went on the person of the victim and accordingly, the mother of the victim has lodged the report on 13.12.2023.

5] The statement of the victim recorded on 15.12.2023 discloses that Bunty Mane was stalking her and asking her to remain in relationship with him and he threatened her. Even he made Tattoo of the name of the victim on his chest. He was repeatedly calling the victim on her Whatsapp. The mother of the victim took phone number of Bunty from the friend of the victim and called him in the house and asked him about his acts. At that time, he went on the person of the victim. The mother and father of the victim beat Bunty and the father gave phone call to the police and they went to the police station and the mother has lodged the report.

6] Her supplementary statement discloses that name of Bunty Mane is Suraj Mane and once he told the victim that his sister-in-law would meet to her. In the month of October last week, when the victim was sweeping Dhaneshwar Mandir, one lady came near to her and she appreciated her work and she informed her that she was sister-in-law of Bunty Mane. Next Sunday also again in the said Mandir, the victim went for sweeping. Sister-in-law of Bunty Mane i.e. the present applicant came there and she disclosed her that her brother-in-law loves her a lot and he made Tattoo of her name on his chest and she requested the victim to love her brother-in-law and she would support her and told her to elope with her brother-in-law and marry to him. She did not speak anything to her. After some time,

again the applicant told her that anger of her brother-in-law is danger and told her to keep love relationship with her brother-in-law otherwise he would do anything to her.

7] The role attributed to the applicant present applicant is that she is sister-in-law of main accused, who was allegedly stalking the victim and giving threats and the applicant is abetting the offence. It seems that the applicant is arrested on 29.01.2024 and since then she is in the Jail. In the FIR, there is no name of the present applicant. Considering the nature of the allegations against the applicant, her further detention behind the bars is not necessary. Therefore, application is to be allowed by imposing stringent conditions upon the applicant. With this, I proceed to pass the following order:

ORDER

- 1] The application is allowed.
- 2] The applicant **Priyanaka Shiva Mane @ Priyanka Bhagwan Khillare** shall be released on bail upon furnishing P.R. bond in the sum of Rs.50,000/- with surety in the like amount.
- 3] The applicant shall attend concerned police station on every Monday between 10.00 am to 11.00 am till filing of the charge-sheet.
- 4] The applicant shall not tamper with the prosecution evidence in any manner. She shall not pressurize the victim, informant and family members and witnesses and shall not indulge in any offence.
- 5] The applicant shall submit her address proof and phone details as well as phone details of two close relatives to Investigating Officer.
- 6] The applicant shall not leave India without prior permission of the Investigating Officer.
- 7] Violation of any of the conditions imposed, shall

amount the cancellation of bail forthwith.

8] Bail application stands disposed of accordingly.

Pune.

Date – 15.02.2024.

(S.P. Ponkshe)

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	- Sau.S.V.Thakar (Steno G-1)
Court Name	- Smt. S. P. Ponkshe, Addl. Sessions Judge, Pune.
Date of Order	- 15.02.2024
Order dictated on	- 15.02.2024
Order transcribed on	- 15.02.2024
Order signed by P.O.	- 15.02.2024
Uploaded on	- 16.02.2024