

**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. 84/18 registered at Velha Police Station for the offence punishable under section 354D, 452,506 of the Indian Penal Code and under section 8 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that victim lodged report stating that on 08.09.2018 she returned from school at 12.30 p.m., she was alone in house, applicant came to her house and abused her in filthy language and touched her chest. Prior to 15 to 20 days also accused abused her. She then narrated incident to her mother and report is filed on 14.09.2018.

3] According to applicant he is falsely implicated in this matter. There is previous enmity between family of victim and applicant. There is delay in lodging report. Applicant is farmer and earning member of his family. He is permanently residing at Velha, Pune. He has no criminal antecedents. 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. Considering allegations and nature of offence investigation is practically over. Personal custody of applicant is not required. Applicant is earning member of family and doing agricultural

work. About the incident dated 08.09.2018 First Information Report is filed on 14.09.2018. Applicant is resident of Velha, 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 Khandu Laxman Parthe be released on executing P.R. bond of Rs.25,000/- 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 Velha 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 and shall not repeat the offence.
- 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 – 24.09.2018.

(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.

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| Date of Order        | - 24.09.2018 |
| Order signed by P.O. | - 24.09.2018 |
| Order uploaded on    | - 26.09.2018 |