

ORDER BELOW EXH. 1 IN SPL(C) MA NO. 258/2014.

This is the bail petition filed by applicant as per Sec.439 of Cr. P. C.

2] The say of applicant is that complaint is lodged by complainant alleging that when complainant went in Pathology Lab to check up the blood of her brother aged 12 years, that time accused pressed the breast of her daughter. Thus complaint is lodged. The accused was arrested by Vimantal police at CR No.167/14 under S. 354-A of IPC and under S. 8 of The Protection of Children from Sexual Offences Act, 2012. The accused was arrested by police on 8-7-2014 and he is produced before the court today and he is sent in MCR. The applicant submitted that he did nothing and with misunderstanding the case is lodged. So he prayed for bail.

3] State appeared and objected the application.

4] I heard the submission of both the sides. Following points arise for my determination. I record my points and findings together with for the reasons stated below.

Points**Findings**

1] Whether applicant is entitled to bail ?

– Yes.

2] What order ?

– Application is allowed.

R E A S O N S**All points. :-**

5] After perusal of complaint, I found that applicant is serving as a Lab Technician in the hospital of Dr. Agarwal, where the incident is occurred. Applicant seems to be educated and studied upto 12th standard and did DMTL Pathological Course and serving in the hospital and his age seems to be 24 years. The nature of the

case lodged on record is outraging the modesty. Whether the incident alleged on record is occurred or not, that will come on record at the time of hearing. Considering the nature of the case and background of the applicant, I say that on certain conditions applicant is entitled to bail. Hence I allow the application and pass the following order.

ORDER

1] Application is allowed as under :-

The applicant Nitin Digambar Patil be released on bail, in connection with CR No.167/14 registered at Vimantal Police Station, under Section 354(A) of IPC and under S. 8 of The Protection of Children from Sexual Offences Act, 2012, on executing SB and PB of Rs. 15,000/- with one surety in the like amount, on following conditions.

- A] The applicant shall not tamper with the prosecution evidence in any manner.
- B] The applicant shall co-operate with police for further investigation.
- C] The applicant shall attend the Court on given date.
- D] The applicant shall attend concerned police station on last Sunday of each month in between 11 a.m. to 2 p.m. till filing of the charge-sheet.
- E] The applicant shall not visit the residential area of complainant, till decision of this case.

Pune,

Dated/- 09-07-2014.

(Mrs. Prachi P. Kulkarni)
Special Judge, Pune (Under The Protection
of Children from Sexual Offences Act, 2012)

I affirm that the contents of this PDF file Judgment are same word for word as per original Judgment. Name of Steno : Shri. V. V. Bannur. Court Name : Mrs. P. P.Kulkarni, District Judge,01, Pune. Judgment signed by P,O. on : 9-7-14 Judgment uploaded on : 27-8-14 Date of PDF file : 27-8-14