

ORDER BELOW EXH.1

(Mayur Kishore Paste V/s. State of Maharashtra)

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.569/2019 registered at Kondhwa Police Station for the offence punishable under section 354-D, 506 of the Indian Penal Code and under section 12 of the Protection of Children from Sexual Offences Act, 2012. It is alleged that mother of victim aged about 15 years lodged report stating that since six months applicant followed victim and proposed her. First informant and her husband convinced the parents of applicant, but though victim refused proposal of applicant, applicant followed her and threatened to kill her brother. On 23.6.2019 applicant was wandering in the premises of house of victim and peeped in the house and outraged her modesty.

3] According to applicant he is falsely implicated in this matter. Investigation is practically over. He is doing service and his family members are depending on him. It is his contention that victim used to follow him and wrote love letters to him, send messages to him, so she has attained age of sufficient maturity. He is permanently residing at Kondhwa Bdk., Dist-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. Applicant filed on record love letters sent by victim to him. Victim made allegations of her sexual allegations by applicant by following her. In view of above letters, considering allegations and nature of offence investigation is practically over. Personal custody of applicant is not required. Applicant is resident of Kondhwa Bdlk, Pune. He is doing service and his family members are depending on him. 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 Mayur Kishore Paste 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 Kondhwa 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, shall not repeat the offence, shall not enter into vicinity of residence of 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 – 08.7.2019.

Sd/-

(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	-
Court Name	- Smt. R.V.Adone, Addl.Sessions Judge,Pune.
Date of Order	- 08.7.2019.
Order signed by P.O.	- 08.7.2019.
Order uploaded on	- 10.7.2019.