

ORDER BELOW EXH.1

1] This is second bail application filed by the applicant u/s. 439 of Code of Criminal Procedure.

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 charge-sheet.

4] The FIR indicates that the victim is aged 11 years and studying in 5th standard. On 10.07.2023 the victim and her brother aged 9 years were returning from the school, at around 05:30 p.m. The informant, who is father of the victim saw from the front of his house that at around 300 meters there was clamour. Therefore, the informant went there and found that his daughter and son were crying and one person was standing there. The victim while crying pointed out towards the said person and informed that when she along with her brother were coming to home by walk, the said person restrained them and caught hold her right hand and moved his hand on her shoulder and back. The victim resisted him and he therefore, hold her hairs and slapped two-three times and twisted her hand. He also slapped to her brother. After hearing the same the informant called his relatives and the asked the name of that person and he told his name and address. Thereafter, they had taken the applicant to the police station and the informant has lodged a report against the

applicant.

5] The statement of the victim prima facie discloses that the applicant inappropriately touched to her shoulder and back by moving his hand and even he twisted her hand and slapped the victim and her brother. At that time, the victim and her brother made hue and cry and persons gathered there and her father also came there. There is statement of the brother of the victim. He has also reiterated the incident.

6] Now, it appears that the investigation is completed and the charge-sheet has been filed. The trial will take its own time for disposal in accordance with law. Now doubt, the applicant is resident of Uttarpradesh, but considering the nature of the allegations and punishment provided for the offence, his further detention behind the bars is not required. Therefore, while releasing applicant on bail heavy surety and conditions needs to be imposed upon him. Thus, this 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 **Rinku Rajman Kumar** 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 1st Monday and 1st Friday of every months between 10.00 a.m. to 11.00 a.m. till conclusion of the trial.
- 4] The applicant shall not tamper with the prosecution evidence in any manner. He shall not pressurize the

victim, informant and family members and witnesses and shall not indulge in any offence.

- 5] The applicant shall not contact with the victim and family members, in any manner.
- 6] The applicant shall submit his address proof and phone details as well as phone details of two close relatives to Investigating Officer.
- 7] The applicant shall not leave India without prior permission of the Investigating Officer.
- 8] Violation of any of the conditions imposed, shall amount the cancellation of bail forthwith.
- 9] Bail application stands disposed of accordingly.

Pune.
Date – 30/10/2023.

Sd/-
(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	- Nitin M. Shinde (Steno G-3)
Court Name	- Smt. S. P. Ponkshe, Addl. Sessions Judge, Pune.
Date of Order	- 30.10.2023
Order dictated on	- 30.10.2023
Order signed by P.O.	- 30.10.2023
Uploaded on	- 31.10.2023