

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. 422/2022 registered with Vimantal police station for the offences punishable under Sections 354-A of the Indian Penal Code and under Sections 8,12 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] Father of the victim boy has lodged report against the applicant. On 07.11.2022 wife of the informant had taken the victim boy aged 7 years 6 months at around 9.00 a.m. to 9.50 a.m. in the Saloon, at Airport Station, Barber Shop, N.P. Area, Lohgaon, Pune, and she leaved him in the Saloon and returned back to home. After some time, the victim boy came home and he was crying. Asking about the same, the victim boy informed to his mother that the applicant, who was working in the Saloon, took the victim boy inside the room of Saloon and he removed his pant and underwear and asked the victim boy to take his private part in his mouth and moved

his hand on the chest and back of the victim boy. The victim boy denied to do the said act and therefore, the said person i.e. the applicant gave threats to the victim and by cutting his hairs, he sent the victim boy to home. After knowing the same from the wife, the informant who is father of the victim boy lodged report against the applicant.

5] Statement of the victim boy discloses that the applicant who used to cut the hairs in the saloon, took him inside room of the saloon and removing his pant and underwear, he asked the victim boy to take his private part in his mouth and moved his hand on his chest and back. The victim boy refused to take private part of the applicant in his mouth. Thus, considering allegations against the applicant and age of the victim boy and yet investigation has not been completed, at this stage, it is not just and proper to release the applicant on bail. Therefore, application is to be rejected. With this, I proceed to pass the following order:

ORDER

- 1] The application is rejected.
- 2] Bail application stands disposed of accordingly.

Pune.
Date – 05/12/2022.

(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	- 05.12.2022
Order dictated on	- 05.12.2022
Order transcribed on	- 05.12.2022
Order signed by P.O.	- 06.12.2022
Uploaded on	- 06.12.2022