

CRI.B.A. No.120/17**Order Below Ex.1.**

1] The applicant has moved this court under Section 439 of the Code of Criminal Procedure of the offences punishable under section 12 of the Protection of Children from Sexual Offences Act, 2012 and under sections 354D of the Indian Penal Code. It is alleged that the applicant followed the victim girl from her house to her school Vidyadham Prashala, Shirur. It is further alleged that the applicant forcibly put wrist watch and one bill of Ashtekar Brothers of purchase of silver ring into the school bag of the victim girl. It is further alleged that the victim girl returned all the articles to the applicant. FIR thus came to be lodged.

2] It is contended that the applicant has been falsely implicated in this case. There is no direct or indirect evidence against the applicant. Offences are bailable. It is contended that the applicant has been falsely implicated in this case. There is no direct or indirect evidence against the applicant. The investigation is practically over. There are no incriminating articles seized at the hands of applicant. There are no bad antecedents of the applicant. He is permanent resident of place mentioned, having roots over there. Hence, this is the application.

3] The application is opposed by the State by filing say. It is contended that the offence is serious. The investigation is yet to complete. It is submitted that if the applicant is released on bail, there is possibility of repeated crime and tampering with the witnesses. The offence is

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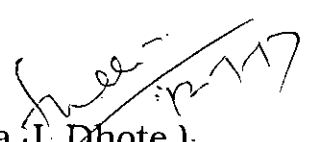
serious one. Investigation is yet to complete. The rejection is thus prayed for.

4] Heard learned counsel for both the sides. On perusal of FIR, it seems that the applicant followed the victim girl from her house to her school and forcibly gave her wrist watch and silver ring and outraged her modesty. The offences are bailable. Moreover, the applicant is permanent resident of the place mentioned. Considering the nature of offence, there is remove possibility of tampering with the prosecution witnesses. With this, I proceed to pass the following order -

ORDER

- 1] The application is allowed.
- 2] The applicant Kishor Narayan Bansode be released on his executing P.R. bond of Rs. 15,000/- with solvent surety in the like amount.
- 3] The applicant shall supply documentary evidence of his permanent address and shall file affidavit in support thereof.
- 4] The applicant shall not tamper with the prosecution witnesses in any manner.
- 5] The applicant shall report to the concerned police on every Monday between 4.00 p.m. to 5.00 p.m. until filing of the charge-sheet.
- 6] The applicant shall not meet the victim girl till the trial is over.

Pune.
Date - 12.01.2017


(Mangala J. Dhote)
Additional Sessions Judge, Pune.