

Order Below Ex.1.

1] Applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of bail in Crime No. 271/2017 registered at Wanawadi Police Station under section 354A of IPC and under section 8 and 12 of Protection of children from sexual offence Act 2012. The prosecution has resisted the application by filing the written say Exh.3. Heard learned advocate for the applicant and APP for State.

2] In short the contention of the applicant is that he has been involved in false matter. Sau. Reshma Asim Mulla lodged FIR on 16.05.2017 and this crime is registered against the applicant. The victim girl is the daughter of the informant and she is 4 years old. The applicant parked his rickshaw in front of the house of the informant. He called the victim girl to show game on mobile. He put the victim girl in his lap. It is alleged that the applicant kissed the neck of the victim girl and pressed the chest of the victim girl. It is alleged that he moved his hand on the private part of the victim girl and outraged her modesty. The applicant is arrested in this crime on 14.06.2017 and since then he is in jail. The learned Advocate for the applicant submitted that the investigation of this crime is practically completed. The applicant will co-operate the IO during investigation. The applicant is innocent. He is falsely implicated in this crime. Therefore, he submitted to release the applicant on bail.

3] APP for the State raised strong objection to release the applicant on bail. He submitted that the offence is of

serious nature. The native village of the applicant is Solapur District. He is likely to abscond. Therefore, he submitted to reject this application.

4] I have gone through the papers of investigation. The investigation of this crime is practically completed. The punishment for the alleged offence under section 354A of IPC and 8 read with 12 of POCSO Act is less than 5 years. The prayer of the applicant to release on bail can't be rejected only on the ground that his native village is Solapur District. For all these reasons, I am inclined to grant this application. With this, I proceed to pass the following order -

ORDER

- 1] The application is allowed.
- 2] The applicant Abdul Badshah Nadaf be released on executing P. R. bond of Rs.20,000/-, with one or two solvent sureties in the like amount.
- 3] The applicant is directed to attend Wanawadi Police Station on each Monday in between 11.00 a.m. to 1.00 p.m. till filing of chargesheet.
- 4] The applicant shall not leave the jurisdiction of this court without prior permission of this court.
- 5] The applicant shall not directly or indirectly make any inducement, threats or promise to any person acquainted with the facts of the accusation against him so as to dissuade them from disclosing such fact.
- 6] The applicant shall co-operate the IO during investigation and he shall remain present before the IO as and when required for investigation.

Pune.
Date – 03.07.2017

(R.N.Sardesai)
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	- S.V.Thakar,
Court Name	- R.N.Sardesai, Additional Sessions
Judge,	Pune.
Date of order	- 03.07.2017
Order signed by P.O.	- 03.07.2017
Order uploaded on	- 12.07.2017