

Spl. Case No.23/2022
The State of Maharashtra

Vs.

Sanjay Khelu Kokare and Anr.
CNR No. MHRG150003982022

:: ORDER BELOW EXH. 29 ::
(Passed on 18th July, 2022)

1. The present application is filed by applicant/accused for releasing him on regular bail.

2. The applicant/accused contended that crime for the offence punishable under Sections 368, 363, 504, 506, 109 r/w. Section 34 of Indian Penal Code is registered against him. He was released on regular bail by the Hon'ble Court. The Investigation Officer had completed the investigation and has filed charge-sheet against him. While filing charge-sheet the Investigation Officer has added section 12 r/w. Section 17 of The Protection of Children from Sexual Offences Act, 2012 in the crime, as well as Section 354 of Indian Penal Code. The investigation of the offence is completed. Therefore nothing is to be recovered or discovered at his instance. He prayed that he may be released on regular bail for the offence added in the crime.

3. Learned A.P.P. filed his say at Exh.3. He contended that the added section in the crime are serious in nature. The crime is committed by the applicant against minor victim.

Therefore if the applicant is released on regular bail there are chances that he may pressurize the witnesses and tampering the evidence of prosecution. He prayed that the application be rejected.

4. Heard learned advocates appearing for the parties.

5. On perusal of material available on record it appears that during the course of investigation, the applicant was released on bail. The investigation of the offence is completed. The investigation Officer has added Section 12 r/w. Section 17 of The Protection of Children from Sexual Offences Act, 2012 as well as Section 354 of Indian Penal Code in the crime. The material shows that nothing is to be recovered or discovered at the instance of applicant. The investigation Officer has not stated in her say that during the course of investigation or till today the applicant had pressurize any of the witnesses. Therefore in my opinion the applicant can be released on regular bail for the added sections. Hence I proceed to pass following order.

ORDER

1. The application is allowed.
2. The applicant/accused No.1 **Sanjay Khelu Kokare** be released on bail in **Crime No.86/2022** registered at Roha Police Station, for the offence punishable under

under Section 354 of Indian Penal Code and under Sections 12 r/w. Section 17 of The Protection of Children from Sexual Offences Act, 2012 on his executing PB of Rs.15,000/- (Rupees Fifteen Thousand Only) with one solvent surety in like amount.

3. The applicant shall not tamper with the evidence of prosecution or pressurize the witnesses.
4. The applicant shall furnish his residential address proof to the Investigation Officer.
5. Violation of any condition will entail for cancellation of bail.
6. Inform the concern police station accordingly.

Mangaon.
Dt.: 18/07/2022

(H. K. Bhalerao)
Additional Sessions Judge, Mangaon,
District Raigad.