

Order Below Exh. 18**(Dated 30/09/2023)**

1) This is an application under section 439 of Cr. P. C. filed by the applicant/accused, Gajanan Sadashiv Andhale, through his advocate, for releasing him on bail in Crime No. 381/2021 of Jaulka Police Station (Spl. POCSO case No. 04/2022) for the offence punishable under sections 452, 354 of the Indian Penal Code r/w section 8 of Protection of Children From Sexual Offences Act (POCSO).

2) Read the application and say at Exh. 21. Heard the learned advocate for the accused and learned APP for the State. Perused the record.

3) Following points arise for my determination, which carry my findings thereon as follows -

Sr. No.	Points	Findings
1.	Whether the applicant/accused has made out the case for grant of bail, as prayed ?	In the affirmative.
2.	What order ?	As per final order.

REASONS**As to Point No. 1 -**

4) It appears that as the accused did not appear before the Court on the given date, the NBW was issued and in execution of NBW, he was arrested and produced before the Court on 20/09/2023. Since then, he is in MCR. The record shows that he was initially released on bail, but as he was absent on the given date, the NBW was issued. He is in MCR since last ten days. It is contended that he was absent on the given date as he was suffering from piles and he had gone to the hospital for taking the medicine. He has filed on record the medical certificates. Considering the

above said facts, the accused can be released on bail. Accordingly, I answer the point no. 1 in the affirmative and proceed to pass the following order -

ORDER

- 1) The application for bail is allowed.
- 2) The applicant/accused namely Gajanan Sadashiv Andhale is released on bail on his executing PR bond of Rs. 50,000/- (Rupees Fifty Thousand Only) with one solvent surety in the like amount on depositing the amount i.e. Rs. 15,000/- (Rupees Fifteen thousand only) of previously forfeited bail bond.

Washim.

Date: 30/09/2023.

Sessions Judge, Washim.

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment/ Order are same word to word, as per the original judgment/order.

Name of Stenographer :- A. W. Ajmire, Stenographer (Grade-II)

Name of Court :- Principal District & Sessions Judge,
Washim, Dist. Washim.

Date of Judgment/ Order :- 30/09/2023

Judgment/Order signed by :- 30/09/2023
the Presiding Officer on

Judgment/Order uploaded on :- 03/10/2023