

**ORDER BELOW Exh. 1 IN SPL.(CHILD) CRI. M. A. No. 184/2013.**

This is an application under S. 439 of the Criminal Procedure Code for release of the applicant, who is arrested by police on 19-11-2013 for the offences punishable under S. 363, 366-A, 506(1) of IPC in CR No. 477/2013.

2] It is submitted that the applicant has not committed such offence as alleged and he is the only earning member of his family. Hence he be released on bail.

3] Special Public Prosecutor for the State opposed the application contending that he is likely to commit similar offence again.

4] I have perused the case diary produced on record. The police found minor victim and this accused during night hours at Lonavala police station as they were intending to go to Mumbai. No doubt, the victim is minor aged about 15 years, but it is clear since long they had intimate relations. It is stated in the statement that accused used to threaten the victim that he would commit suicide. There are no allegations that he had any carnal relations with the victim. Hence on the aforesaid circumstances, the applicant can be released on bail. Hence following order.

**ORDER**

1] The application is allowed.

2] The applicant Shahnawaj Mansur Shaikh be released on bail, on his furnishing solvent surety of Rs. 15,000/- and his own bond in the like amount.

3] The applicant shall attend Yerawada police station once in a week i.e. on every Thursday in between 3 p.m. to 5 p.m. till filing of charge sheet.

4] The applicant shall reside out of the jurisdiction of Yerawada police station anywhere else, till further order and shall

furnish his detailed residential address of the place where he would reside with his phone number on record. The same shall also be furnished to the Investigating Officer.

5] The applicant shall not contact the victim or the prosecution witnesses in any manner. In case of breach of above conditions, his bail bond shall be cancelled.

Pune,

Dated/- 07-12-2013.

( S. D. Darne )

Special Judge, Pune ( Under Protection of  
Children from Sexual Offences Act, 2012 )

"I affirm that the contents of this PDF file Judgment are same word for word as per original Judgment. Name of Steno : Shri. V. V. Bannur, PA. Court Name : Shri. S. D. Darne, District Judge, 01, Pune. Judgment Signed by P.O. on :7-12-2013 Judgment uploaded on :-30-12-13 Date of PDF file : 30-12-13