

ORDER BELOW EXH.1
(Passed on 6th day of January, 2018)

Applicant sought regular bail u/s 439 of Cr. P. C. in crime No. 527/2017, under sections 354(D) r/w sec. 34 of I. P. C. and under section 12 of the Protection of Children from Sexual Offences Act, registered with P. S. Anjangaon Surji.

02] In short, on 23.12.2017 at about 10.30 a. m., informant aged about 17 years along-with her colleagues M, P, C and S were going to college. At that time, one Maruti Car came to them and 2 to 3 boys get down therefrom and asked name to minor P. So also, passed some gestures with sexual intent towards them. In the meanwhile, brother of P came and said boys picked quarrel with him. On the report of informant, instant crime came to be registered.

03] Whereas, according to applicant, he has no concern with this incident. He has been falsely implicated. He is arrested on 26.12.2017 and since then languishing in jail. His custody is no more required to the prosecution for investigation. He is ready to abide by any conditions. Hence, prayed for bail.

04] The Investigating Officer opposed bail to the applicant stating that victims are of tender age. After released on bail, applicant may pressurize them.

05] Heard both sides, perused case diary. On perusal of case diary, it seems that allegations against the applicant are that he asked name of one of the victims and passed some gestures towards them with sexual intent. However, the FIR is silent exactly which gestures

were passed. Applicant is arrested on 26.12.2017 and since then he is behind bar. Case diary shows that statements of the material witnesses came to be recorded. Applicant is resident of Nagpur. Thus, taking into consideration all the above aspects, it would be just and proper to exercise discretion in his favour upon certain conditions. Hence, following order.

ORDER

- 1] Application is allowed.
- 2] Applicant Sachin Sambhaji Shende, aged about 24 years, R/o Jyoti Nagar, Nagpur is hereby released on bail, in crime No. 527/2017, under sections 354(D) r/w sec. 34 of I. P. C. and under section 12 of the Protection of Children from Sexual Offences Act, registered with P. S. Anjangaon Surji, on his executing Personal Bond of Rs. 20,000/- (Twenty Thousand Rupees only) with surety in like sum, on the following conditions:-
 - (a) He shall appear before I. O. as and when called by him and co-operate with investigation.
 - (b) He shall not deliver threat or make any inducement to victim, her family members or prosecution witnesses in any manner.
- 3] Breach of any of the above conditions would lead to cancel the bail.
- 4] Humdast allowed.

(A. K. Shah)

Date/ 06-1-2018.

Additional Sessions Judge, Achalpur.