

**Order below Exh.1 in Cri. Bail Application No.1268/ 2022**

Nitin Santosh Joshi .. Applicant  
Accused.

Vs.

The State of Maharashtra  
through PI Panchawati Police St. .. Respondent.  
Nashik. (Cr. No. I 390/2022)

**Order below Exh. 1**

1. The applicant/accused **Nitin Santosh Joshi** claims bail in C.R. No. I-390/2022 for the offences punishable under Sections 354, 348 of the Indian Penal Code and under Sections 8 & 12 of the POCSO Act registered with Panchawati Police Station, Nashik.
2. Heard Learned Advocate Shri P.R.Shejwal, for the applicant and learned A.P.P. Smt. Sangale for the State. Perused the papers of investigation.
3. It is the case of the prosecution that applicant barged into the house of victim and hold the hand of minor victim and dragged her and outraged her modesty. He has also abused and threatened her.
4. On perusal of record, it reveals that there are specific allegations against the applicant that he has outraged the modesty of minor victim. Averments in the report reflect that

applicant and victim were acquainted with each other. There was previous quarrel between the families of applicant and informant. Age of the applicant is 19 years and victim is 17 years old. It is the contention of learned Advocate for the applicant that the victim was engaged in love-affair with the applicant. Report is lodged at the instance of parents of the victim who opposed their relations.

5. In respect of the offence of outraging modesty law is settled as follows *“In regard to the allegations of assault or criminal force with intent to outrage her modesty and intimidation as envisaged under Secs. 354-A, 504 and 506 read with Sec. 34 of IPC, custodial interrogation of the applicant is not necessary for the sake of investigation.”*

6. Howsoever it may be, it reveals from record, applicant came to be arrested on 04.10.2022. There is no any recovery or discovery as such remained from the applicant. According to ld. Advocate for the applicant, the applicant is local resident and is ready to abide any conditions on grant of bail. Considering all these aspects, this Court is of the view that applicant can be released on bail by imposing certain conditions. Hence the order.

**:: ORDER ::**

1] The application is allowed.

- 2] Applicant-Accused **Nitin Santosh Joshi** arrested in C.R. No. I-390/2022 for the offences punishable under Section 354, 348 of the I.P.C. and under Sections 8 & 12 of the POCSO Act registered with Panchawati Police Station, Nashik be released on bail in the sum of Rs.15,000/-(Rupees Fifteen Thousand only) with a surety in the like amount subject to following conditions :-
- a] That he shall not tamper with the prosecution evidence in any manner.
  - b] Applicant is directed not to enter the area/vicinity where the victim resides till end of trial.
  - c] Applicant is directed to furnish his permanent address proof, mobile number.

Nashik.

Date : 18.10.2022.

(Aditee U. Kadam)

Additional Sessions Judge-2,  
Nashik.