

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

Criminal Application No.123 of 2015

Narsing S/o Balwantrao Zade. .. **Applicant.**

Versus

The State of Maharashtra. .. **Respondent.**

Shri. M.G. Biradar, Advocate, holding for Shri. P.R.
Katneshwarkar, Advocate, for applicant.

Shri. A.V. Deshmukh, Additional Public Prosecutor, for
respondent.

CORAM: T.V. NALAWADE, J.

DATE : 21st JANUARY 2015

ORDER:

1) The application is filed for relief of bail. Both the sides are heard. This Court has perused the papers of investigation.

2) Crime is registered on the basis of report given by the prosecutrix who was aged 19 years on the date of the report. She has made allegations against the present applicant that he used to see her in the college. He proposed to marry her. She has made allegation that by

giving this promise of marriage he started having sex with her and at that time she was of 16 years. Allegations are made that since then they kept relations and in July 2013 the applicant took her to his house. It is contended that the prosecutrix stayed there as wife and there also the applicant had sex with her. Allegations are made that when the prosecutrix insisted for marriage the applicant started avoiding. She has contended that her parents and others tried to settle the matter but the applicant refused to marry and then she approached the police and gave report.

3) The applicant is behind the bars since 16-11-2014. Learned counsel for the applicant makes statement that this is the first application for bail filed in this Court. In view of the allegations made against the applicant which are of aforesaid nature, this Court holds that it is not desirable to keep the applicant behind the bars till disposal of the case.

4) In the result, the application is allowed. The applicant is to be released on bail in Crime No.100/2014

registered in Mukaramabad Police Station, District Nanded for offences punishable sections 376 etc. of the Indian Penal Code on his furnishing PR and SB of Rs.15000/-. He is not to tamper with the prosecution witnesses. He is not to commit similar offences.

Sd/-
(T.V. NALAWADE, J.)

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