

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

Criminal Application No. 194 of 2015

Sachin s/o Vinayak Kale.

.. Applicant.

Versus

The State of Maharashtra.

.. Respondent.

Shri. V.D. Salunke with Shri. Mayur V. Salunke, Advocates,
for applicant.

Shri. R.P. Phatke, Additional Public Prosecutor, for
respondent.

Shri. S.V. Deshmukh, Advocate, for wife and mother-in-law
of the applicant.

CORAM: T.V. NALAWADE, J.

DATE : 13th FEBRUARY 2015

ORDER:

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

2) This is a peculiar case in which there are allegations against the applicant, who is husband of elder sister of the prosecutrix, victim girl, that he took away her from her parents and he kept her with him. She has given her age as 16 years. It appears that he had given promise to marry even when he was married.

3) The parents of the victim girl have come to this Court. Even the first wife of the applicant i.e. sister of the victim girl had come to this Court and they have requested for giving bail to the applicant.

4) It appears that the first wife has two kids from the applicant. In view of these circumstances this Court holds that it is not desirable to keep the applicant behind the bars till disposal of the case.

5) In the result the application is allowed. The applicant is to be released on bail in Crime No.147/2014 registered in Washi Police Station, District Osmanabad for offences punishable under sections 363, 366-A, 376 of the Indian Penal Code and section 4 of the Protection of Children from Sexual Offences Act on his furnishing PR and SB of Rs.15,000/- (Rupees fifteen thousand). He is not to tamper with prosecution witnesses. He is not to commit similar offences.

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

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