

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

Criminal Application No.835 of 2015

Govind S/o. Jijaji Suryawanshi. .. **Applicant.**

Versus

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

Shri. G.R. Syed, Advocate, for applicant.

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

CORAM: T.V. NALAWADE, J.

DATE : 5th MARCH 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 about 14 years at the relevant time. It is her case that her marriage was solemnized on 17-12-2014. But the main accused Dilip

was after her even after her marriage. She has made allegation that on 12-1-2015 when she was present at Pimpla Lokhande, the main accused Dilip came with his friend, the present applicant. She has made allegation that the main accused took her with him to a place and the applicant was in the company with the main accused. She has made allegation that the main accused raped her by giving promise of marriage on that day. She has made allegation that on 13-1-2015 when she returned from the said place to her village the main accused contacted her and asked to return to him.

3) The allegation made against the present applicant is that he helped the main accused for taking the prosecutrix to the place where she was raped by the main accused. The applicant is behind the bars since 21-1-2015. There is no allegation of rape against him. In view of the contents of the F.I.R. and the material collected against the present applicant, 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.3/2015 registered in Purna Police Station, District Parbhani for offences punishable under sections 363, 366-A, 376(2)(i) (j), 34 of the Indian Penal Code, on his furnishing PR and PB of Rs.20,000/- (Rupees Twenty Thousand) with one solvent surety of the like amount. He is not to tamper with prosecution witnesses. He is not to commit similar offences. He is not to enter the village of the prosecutrix till disposal of the case.

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

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