

**IN THE HIGH COURT AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 993 OF 2015

Kewalbai Tukaram Sarole **....Applicant.**

Versus

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

Mr. Anandsing Bayas, Advocate for applicant.

Mr. A.V. Deshmukh, APP for State.

CORAM : T.V. NALAWADE, J.
DATED : 10th March, 2015.

ORDER :

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

2. The crime is registered on the basis of report given by the prosecutrix, who is aged about 17 years at the relevant time. She has made allegations that the present applicant is her neighbour and she used to visit her house to see the T.V. programmes. The nephew of the applicant namely Sachin became acquainted with the prosecutrix. She has made allegations that Sachin gave her false promise of marriage and established relations with her. She has made allegations that when she made inquiry with the present applicant, the present applicant promised her that Sachin will marry with her and she

should have relations with Sachin. Due to that, she kept relations with Sachin and that was going on for about two years. About 15 days prior to the date of report, when parents of the prosecutrix were attempting to settle the marriage, the prosecutrix requested Sachin to marry with her. She has made allegations that Sachin again had sexual intercourse with her and said that he would not marry with her. Then they contacted the applicant, but the applicant gave evasive answers. Then the report came to be given. Thus, the allegation against the applicant is that she helped her nephew Sachin.

3. The applicant has been behind bars since 29.1.2015. In view of the nature of allegations and the material available against the applicant, this Court holds that it is not desirable to keep the applicant, who is a lady aged about 38 years, behind bars till the disposal of the case.

4. In the result, the application is allowed. The applicant is to be released on bail on her furnishing PR and SB of Rs. 15,000/- (Rupees fifteen thousand). She is not to tamper with the prosecution witnesses. She is not to commit similar offence.

[T.V. NALAWADE, J.]

SSC/