

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
BENCH AT AURANGABAD.
Criminal Appellate Jurisdiction.**

Criminal Application No. 1623 Of 2015.

**DEVIDAS S/O KISAN BADHE
VERSUS
THE STATE Of MAHARASHTRA.**

Appearance =>

Mr. Ankush Nagargoje, Advocate for the Applicant.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 13th April, 2015.

Per Court :-

Present Criminal Application is filed by the applicant for grant of regular bail, in connection with CR No. 302/2014 registered with Police Station, Parner, District – Ahmednagar for the offences punishable under Section.s. 363, 366(A), 354(A)(1) read with 34 of the Indian Penal Code and under Section/s 3, 4, 9, 10, 11 and 12 of the Child Marriage Prohibition Act.

[2] Heard Mr. Ankush Nagargoje, Advocate for the Applicant and Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

[3] Charge-sheet is already filed by the Investigating Officer after completion of entire investigation. Present applicant is accused No.1. Accused Nos. 2 to 4 were already released on regular bail by this Court.

[4] The applicant is in close relation with the prosecutrix. From the charge sheet is clear that there are no allegations against the present applicant that he has committed sexual intercourse with the prosecutrix.

[5] Looking to the nature of accusation made and in view of the fact that, charge sheet is already filed, further custodial presence of the applicant is not at all required. However, apprehension of the prosecution about pressurizing the prosecutrix can be taken care of, by imposing stringent conditions. Hence, I pass the following order :-

ORDER

(i) Applicant - DEVIDAS S/O KISAN BADHE shall be released on regular bail on he executing P.R. Bond of Rs. 20,000/- [Rs. Twenty Thousand.] with two solvent sureties in the like amount, in connection with CR No.302/2014 registered with Police Station, Parner, District – Ahmednagar for the offences punishable under Section.s. 363, 366(A), 354(A)(1) read with 34 of the Indian Penal Code and under Section/s 3, 4, 9, 10, 11 and 12 of the Child Marriage Prohibition Act.

(ii) Bail before Trial Court.

(iii) The applicant shall attend the Police Station, Parner, District – Ahmednagar twice in a week, preferably on every Sunday and Tuesday, between 10.00 a.m. to 1100 a.m, till Charge is framed.

(iv) The applicant shall not enter into territorial jurisdiction of village/s Kutewadi, Dhawalpuri and Kalkup, Taluka –

Parner, District Ahmednagar, for a period of two years, or till trial is over, whichever is earlier.

(v) The applicant shall inform his residential address to the Investigating Officer.

(vi) The applicant if he intends to enter into the village, he has to obtain prior permission from the learned trial court.

(vii) With this, Criminal Application is disposed of.

(V.M. DESHPANDE, J.)