

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

Criminal Application No. 2024 Of 2015.

SACHIN S/O BHAURAO SABANE
VERSUS
THE STATE Of MAHARASHTRA.

Appearance :-

Mr. Dighe Pravin, Advocate for the Applicant.

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

CORAM : V.M. DESHPANDE, J.

DATE : 27th APRIL, 2015.

PER COURT :-

Present Criminal Application is filed by the Applicant for his release on regular bail, in connection with CR No.188/2014 registered with Vazirabad Police Station, District – Nanded for the offences punishable under Section/s 363, 376(2)(n)(i) of the the Indian Penal Code and under Section 5 read with Section 6 of the Protection of Children From Sexual Offences Act, 2012.

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

[3] Investigation is already over. Charge sheet is already filed. According to the prosecution, age of the prosecutrix is 16 years that shows that the prosecutrix has attained the age of understanding. From the First Information Report, it is clear that there was love affair between

the prosecutrix and the present applicant. Present applicant is also 23 years old.

[4] Looking to the fact that the prosecutrix has attended the age of understanding and as the charge sheet is already filed, no purpose will be achieved by continuance of the custodial presence of the present applicant. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - SACHIN S/O BHAURAO SABANE shall be released on regular bail on his executing PR Bond of Rs.10,000/- (Rs. Ten Thousand.) with one solvent surety in the like amount, in connection with CR No.188/2014 registered with Vazirabad Police Station, District – Nanded for the offences punishable under Section/s 363, 376(2)(n)(i) of the the Indian Penal Code and under Section 5 read with Section 6 of the Protection of Children From Sexual Offences Act, 2012.

(iii) The Applicant shall not enter into the territorial jurisdiction of Nanded, till the trial is over; except on the dates, when trial is fixed at Nanded Court.

(iv) The Applicant shall intimate his address of residence to the Investigating Officer within a period of 15 days from his release from the Jail.

(iv) Bail before trial court.

(v) Criminal Application is allowed and same is disposed of accordingly.

(V.M. DESHPANDE, J.)