

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

CRIMINAL APPLICATION NO. 2849 OF 2015.

MAULI S/O NAGNATH SONAWANE
VERSUS
THE STATE OF MAHARASHTRA.

Appearance =>

Mr. Sanjay R. Choukidar, Advocate for the Applicant.

Mr. V.H. Dighe, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 2nd July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No. 219/2014 registered with Police Station, Sailu, Taluka – Sailu, District – Parbhani, for the offences punishable under Section/s. 363, 366(A), 376 of the Indian Penal Code.

[2] Heard Mr. Sanjay R. Choukidar, learned counsel for the Applicant and Mr. V.H. Dighe, learned Additional Public Prosecutor.

[3] First Information Report is lodged by father of the prosecutrix. Entire investigation is over. Present Applicant, from the statement of prosecutrix, was having the relation with her family and he used to visit her house, frequently. From her statement, it appears

that intimacy was developed in between them and ultimately it was resulted into love affair. In so far as age of prosecutrix is concerned, according to the prosecution, the prosecutrix is below the age of consent.

[4] Prima facie, also it is clear that the age of prosecutrix is below the age of consent. However, looking to the fact that, entire investigation is over and already charge sheet is filed and there is no possibility of trial of the present Applicant being taken up in near future thus, Applicant can be released on bail.

[5] The learned counsel for the Applicant submits that, if Applicant is enlarged on bail, he will not enter into village Valur, Taluka – Sailu, District – Parbhani and he shall reside at Sailu, Taluka – Sailu, District – Parbhani,

[6] The learned Additional Public Prosecutor submitted that if stringent conditions are imposed upon the Applicant, it will sub-serve the purpose of the prosecution. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - MAULI S/O NAGNATH SONAWANE shall be released on regular bail on he executing P.R. Bond of Rs. 15,000/- [Rs. Fifteen Thousand.] with one solvent surety in the like amount, in connection with CR No.

219/2014 registered with Police Station, Sailu, Taluka – Sailu, District – Parbhani, for the offences punishable under Section/s. 363, 366(A), 376 of the Indian Penal Code..

(iii) Bail before trial court.

(iv) The Applicant shall not in any way try to contact the prosecutrix or the first informant.

(v) Applicant shall not enter into village Valur, Taluka – Sailu, District – Parbhani till trial is over.

(vi) Applicant shall furnish his residential address at Sailu, Taluka – Sailu, District – Parbhani to the Investigating Officer within eight days from his release from the jail.

(vii) Applicant shall attend Police Station, Sailu, Taluka – Sailu, District – Parbhani twice in a week, preferably on every Sunday and Thursday, between 3.00 p.m. to 5.00 p.m., till trial is over.

(viii) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)