

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

CRIMINAL APPLICATION NO. 3580 OF 2015

Govind s/o Shivram Shenure

.... **APPLICANT**

V E R S U S

The State of Maharashtra

.... **RESPONDENT**

.....

Mr. S.J.Salunke, Advocate for Applicant.

Mrs. S.G.Chincholkar, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 24th JULY, 2015

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PER COURT :

1. This is an application for grant of bail. Applicant is arrested in connection with Crime No. 49/2015 registered with Patoda police station, District Beed for the offences punishable u/s 376,452,506 of the Indian Penal Code and u/s 4 of the Protection of Children from the Sexual Offences Act, 2012.

2. Heard Mr. S.J.Salunke, learned counsel for the applicant and Mrs. S.G.Chincholkar, learned A.P.P. for respondent – State.

3. F.I.R. is lodged by the prosecutrix. In the report, she has stated that she has already attended the majority. According to F.I.R., her marriage took place prior to two years of the incidence. F.I.R. alleges that the present applicant, who is in close relation with the prosecutrix, entered into her house and thereafter has committed rape on her.

4. Investigation is already over. Charge sheet is filed.

5. From the medical papers, Doctor has opined that the age of the prosecutrix is between 12 to 17 years. However, no external injuries were noticed.

6. Looking to the fact that prima facie the prosecutrix is major and investigation is also over, charge sheet is filed and since it is the submission of the learned counsel for the applicant that the applicant is in jail since 18/04/2015 and there is no progress in the Sessions Case, applicant can be released on bail on certain conditions. That leads me to pass the following order.

(i) Present Criminal Application is hereby allowed.

(ii) Applicant Govind s/o Shivram Shenure be released on bail in connection with Crime No. 49/2015 registered with Patoda police station, District Beed for the offences

punishable u/s 376,452,506 of the Indian Penal Code and u/s 4 of the Protection of Children from the Sexual Offences Act, 2012 on he executing P.R. Bond of Rs.10,000/- [Rupees Ten Thousand] with two solvent sureties of like amount. Bail before the trial Court.

- (iii) Applicant Govind s/o Shivram Shenure shall attend Patoda police station once in a fortnight preferably on every Sunday between 3.00 – 5.00 p.m. till the trial is over.
- (iv) Applicant Govind s/o Shivram Shenure shall not cause any threat to the prosecutrix or any member of her family.
- (v) With these observations, Present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]