

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

CRIMINAL APPLICATION NO. 3954 OF 2015

Ravi s/o Balikram Marco

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

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Mr. S.S.Panale, Advocate for Applicant.

Mrs. Pratibha Bharad, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 11th AUGUST, 2015

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PER COURT :

1. This is an application for grant of bail. Applicant is arrested in connection with Crime No. 32/2014 registered with Paithan police station, District Aurangabad for the offences punishable u/s 363,366(A),376 of the Indian Penal Code and u/s 4,6,8 of Prevention of Children from Sexual Offences Act.

2. Heard Mr. S.S.Panale, learned counsel for the applicant and Mrs. Pratibha Bharad, learned A.P.P. for respondent – State.

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

4. As per the prosecution, date of birth of prosecutrix is 05/06/1997, whereas the date when the prosecutrix eloped with the applicant is 15/01/2014. Thus, on the said date, prosecutrix was more than 16 years age. It shows that she has attended the age of understanding.

5. As per the F.I.R., it is clear that prosecutrix was in love with the applicant. Since the charge sheet is already filed and the prosecutrix has already attended the age of understanding, further custodial presence of the applicant is not required. That leads me to pass the following order.

- (i) Present Criminal Application is hereby allowed.
- (ii) Applicant Ravi s/o Balikram Marco be released on bail in connection with Crime No. 32/2014 registered with Paithan police station, District Aurangabad for the offences punishable u/s 363,366(A),376 of the Indian Penal Code and u/s 4,6,8 of Prevention of Children from Sexual Offences Act on he executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one local solvent surety of like amount. Bail before the trial Court.

- (iii) Present applicant shall attend Paithan police station once in a fortnight preferably on every Sunday between 3.00 – 5.00 p.m. till the charge sheet is filed.
- (iv) With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]