

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

CRIMINAL APPLICATION NO.4304 OF 2015

Sakharam s/o Bhavka Ghode,
Age: 19 years, Occ: Labour work,
R/o. Ghoti, Tal. Akole,
Dist. Ahmednagar.

...Applicant

versus

The State of Maharashtra
through the Police Inspector,
Rajur Police Station, Tal. Akole,
Dist. Ahmednagar

...Respondent

.....
Mr. K.N. Shermale, Advocate for applicant
Mr. S.A. Ambad, A.P.P. for respondent
.....

CORAM : N.W. SAMBRE, J.

DATE : 25th AUGUST, 2015

ORAL ORDER :

Complainant Shaila alleged that on 24/03/2015 she was forced to accompany the present applicant/accused and thereafter the present applicant committed sexual intercourse repeatedly from 24/03/2015 to 26/04/2015.

2. The perusal of complaint reflects that the complainant is a lady aged about 24 years was blessed with two children and was living in joint family.

3. Her statement further reflects that alongwith present applicant, she lived for a period of one month and during that period,

she never complained to anybody including the owner of the house where she lived. The statements of Raghunath Bhor and Laxmibai Bhor, owner of house reflect that the applicant alongwith the complainant stayed at their place from 25/03/2015 till 26/04/2015 and paid regular wages. The complainant was introduced as his wife by present applicant to them and statement of both these witnesses reflect that the complainant and applicant lived happily for a period of one month.

4. In view of above, it could be *prima facie* inferred that there is consent. In view above, it will be appropriate to order the release of the applicant on regular bail. Hence, I proceed to pass the following order.

The applicant be released on bail, on furnishing his P.R. Bond of Rs.15,000/- (Rs. Fifteen thousand) with one surety in the like amount, in connection with Crime No.I-22/2015 registered with Rajur Police Station, Taluka Akole, Dist. Ahmednagar for the offence punishable under Sections 363, 376, 506 read with Section 34 of the Indian Penal Code. The applicant shall not enter in Akole Taluka, District Ahmednagar till conclusion of the matter except for Court matter.

5. The application stands disposed of.

[N.W. SAMBRE, J.]

Tupe/25.08.15