

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

CRIMINAL APPLICATION NO. 5000 OF 2015

Sahebrao s/o Kashinath Kedare,
Age: 22 years, Occ: Painter,
R/o. Punegaon, Tq. & Dist. Nanded. ...Applicant

versus

The State of Maharashtra,
through Police Station Nanded (Rural)
Tq. & Dist. Nanded & anr. ...Respondents

...
Mr. G.G. Suryawanshi, Advocate for the applicant
Mr. G.O. Wattamwar, Addl. Public Prosecutor for respondents
...

CORAM : N.W. SAMBRE, J.

DATE : 19th OCTOBER, 2015

ORAL ORDER :

Heard learned Counsel for the applicant.

2. The applicant is seeking regular bail in Crime No.387/2014 registered at Nanded (Rural) Police Station, District Nanded for the offence punishable under Sections 363, 366-A, 376(2)(i) of the Indian Penal Code and under Section 4 of the Protection of Children from Sexual Offences Act, 2012.

3. The alleged incident is took place on 02/12/2014 and offence came to be registered on 16/12/2014.

4. The case of prosecution is that the applicant herein kidnapped the victim Arati, who at the relevant time of 16 years of age, studying in 10th standard.

5. After the investigation is completed, the charge sheet in the matter is already filed. In the statement of victim recorded under Section 164 of the Code of Criminal Procedure, she has in clear terms admitted that she has love with the present applicant since about a year prior to the registration of offence and both of them decided to ran away and then got married and started living together.

6. *Prima facie*, it appears that the offence in question has arisen out of love affairs between the victim and the applicant herein. As the investigation in the matter is completed, further detention of the applicant will be of hardly any assistance to the prosecution.

7. In view of above, it will be appropriate, in my opinion, to order the release of the applicant on bail. Hence, I propose to pass the following order :-

The applicant be released on bail, upon executing the P.R. bond of Rs.10,000/- (Rs. Ten thousand) with one surety in the like amount, in connection with Crime No.387/2014 registered at

Nanded (Rural) Police Station, District Nanded for the offence punishable under Sections 363, 366-A, 376(2)(i) of the Indian Penal Code and under Section 4 of the Protection of Children from Sexual Offences Act, 2012.

8. The application stands allowed.

[N.W. SAMBRE, J.]

Tupe/19.10.15