

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

CRIMINAL APPLICATION NO. 5428 OF 2015

Santosh s/o Ashok Wadekar,
Age: 27 years, Occ: Labour,
R/o. Laxmi Nagar, Near Argade floor mill,
Gunjalwadi, Tal. Sangamner,
Dist. Ahmednagar.

...Applicant

versus

The State of Maharashtra,
Through the Police Inspector,
Sangamner City Police Station,
Tal. Sangamner, Dist. Ahmednagar.

...Respondent

...
Mr. K.N. Shermale, Advocate for the applicant
Mr. S.N. Morampalle, Addl. Public Prosecutor for respondent
...

CORAM : N.W. SAMBRE, J.

DATE : 28th OCTOBER, 2015

ORAL ORDER :

The applicant is seeking regular bail in Crime No. I-107/2015 registered on 19/05/2015 at Sangamner City Police Station, District Ahmednagar for the offence punishable under Sections 363, 366(A), 376(2)(k)(n) of the Indian Penal Code with Section 5(l), 6 of the Protection of Children from Sexual Offences Act, 2012 and under Sections 3(1)(XII), 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Atrocities) Act.

2. The investigation in the matter is already completed and

charge sheet is filed. Perused the statement of the victim, recorded under Section 164 of the Code of Criminal Procedure on 01/06/2015, wherein she has volunteered before learned Judicial Magistrate, First Class, Sangamner that she on her own ran away with the applicant and permitted him to establish physical relations with her, out of love affairs.

3. As the custodial interrogation of the applicant is not required, 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.15,000/- (Rs. Fifteen thousand) with one surety in the like amount, in connection with Crime No. I-107/2015 registered at Sangamner City Police Station, District Ahmednagar for the offence punishable under Sections 363, 366(A), 376(2)(k)(n) of the Indian Penal Code with Section 5(l), 6 of the Protection of Children from Sexual Offences Act, 2012 and under Sections 3(1)(XII), 3(2)(V) of the Scheduled Castes and Scheduled Tribes (Atrocities) Act.

4. The application stands allowed.

[N.W. SAMBRE, J.]