

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1369 OF 2015

Abhiraj @ Abaji Dyanoba Yadav

... Applicant.

V/s.

The State of Maharashtra

... Respondent.

Mr. Satyam Nimbalkar a/w Hrishi Ghorpade, Advocate for the Applicant.

Ms. Veera Shinde, A.P.P. for the Respondent – State.

PSI Sunil Pandurang Gaikwad, Baramati Taluka Police Station, is present.

CORAM : REVATI MOHITE DERE, J.

DATE : 16th SEPTEMBER, 2015

P.C. :

1 Heard learned counsel for the applicant and the learned APP for the State.

2 By this application, the applicant seeks his enlargement on bail in connection with C.R. No. 30 of 2015 registered with the Baramati Taluka Police Station, Pune for the alleged offences punishable under Sections 363, 366(A), 109 read with section 34 of the Indian Penal Code and under sections 11 and 12 of the Protection of Children Sexual Offences Act, 2012.

3 The complainant - Mr. Sanjay B. Surywanshi has lodged a complaint on 3rd February, 2015 alleging therein that on 2nd February, 2015 the applicant had kidnapped his cousin sister and that one Sagar Pawar had helped the applicant in the same. According to the victim girl, aged 16 years, she knew the applicant for a year. She has stated that the applicant would promise her marriage and say that they would run away and get married. According to the victim girl, on 2nd February, 2015, when she had gone to the agricultural field along with her sister, the present applicant came there alongwith his brother Gopinath. It is alleged that the present applicant disclosed to the victim girl that they should run away and get married, however, the girl is stated to have objected to the same. She has alleged that the present applicant forcibly made her sit on the motorcycle and thereafter, the present applicant and his brother Gopinath took her to Bhigvan. It is alleged that at Bhigwan, the applicant met his friend Ganesh Kadam and thereafter, they took her to Kodegaon to the applicant's house. According to the victim girl, the applicant took her to a room, pulled her hair and kept touching her inappropriately. It is alleged that on the next day i.e. on 3rd February, 2015, the present applicant, his brother Gopinath and Ganesh Kadam took her to Hadapsar to one Mane's house, where they stayed. She has alleged that there the present applicant again tried to touch her inappropriately. On 4th February, 2015 at 9 a.m, the victim girl has alleged that she

asked the applicant to drop her home, however, the applicant is stated to have refused. She has alleged that the applicant again asked her to marry him and if she refused, he threatened to kill her brother. She has stated that her cousin alongwith others came to Mane's home and took all of them to the police station, however, on the way the applicant is stated to have fled.

4 Learned counsel for the applicant states that co-accused Gopinath and Ganesh Kadam have been enlarged on bail. He states that there are no allegations as against the applicant under section 376 of IPC. He submitted that the girl was well acquainted with the applicant and had gone on her own accord with him.

5 Perused the chargesheet. Considering the nature of allegations and the fact that investigation is complete and charge-sheet is filed, the applicant is enlarged on bail on the following terms and conditions :

ORDER

- (i) The applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.15,000/- with one or two sureties in the like amount ;

(ii) The applicant shall not enter the Jainakwadi village, where the victim girl resides.

(iii) The applicant shall report to the concerned Police Station on the first Saturday of every month, for a period of 12 months from the date of his release.

(iv) The applicant shall co-operate with the conduct of the trial.

6 The application stands disposed of accordingly.

All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)

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CERTIFICATE

*Certified to be true and correct copy of the original
signed order.*
