

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1895 OF 2016

- 1] Laxman Devidas Gaikwad,
Age : 19 years, Occu.: Labour,
R/o : Wadar Gali, Mudkhed,
Tq. Mudkhed, Dist. Nanded
- 2] Balaji Piraji Bale,
Age : 22 years, Occu.: Education,
R/o : Wadar Gali, Mudkhed,
Tq. Mudkhed, Dist. Nanded

[At present the applicant is in
Nanded Sub Jail, Nanded
Taluka and District Nanded]

.. Applicants

Versus

The State of Maharashtra
Through the Police Inspector,
Mudkhed Police Station,
Mudkhed, Taluka Mudkhed,
District – Nanded

.. Respondent

.....

Mr. Rajendra S. Deshmukh, Advocate for the applicants
Mr. A.R. Borulkar, APP for the respondent-State

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CORAM : M.T. JOSHI, J.

DATED : 11/04/2016

ORAL ORDER :

Heard both sides.

2. The present applicants, who are arrested by Mudkhed Police Station, Tq. Mudkhed, Dist. Nanded in Crime no.02 of 2015 for the offences punishable under section 363, 366, 376(2), 107, 109, 114, 212 r/w. 34 of the Indian Penal Code and under section 3, 4, 17 of the Protection of Children From Sexual Offences Act, are praying for their release on bail.

3. Hearing from both sides as well as the case papers would show that the present applicants who are 19 years and 22 years old, respectively, were in love affair with the respective victims, who were 15 years and 16 years old, respectively. Out of the said love affair, all of them eloped from their respective houses on 09/01/2015. Thereafter, they visited various places and respectively resided together as spouses. Thereafter, the present applicants were arrested on 26/01/2016. Chargesheet is now filed.

4. Upon hearing both sides, and finding that the

trial would take its own time, in my view, the present applicants can very well be released on bail, on certain conditions.

5. Hence, the following order:-

I) The Application is allowed.

II) The applicants be released on bail in Crime no.02 of 2015 registered with Mudkhed Police Station, Tq. Mudkhed, Dist. Nanded for the offences punishable under section 363, 366, 376(2), 107, 109, 114, 212 r/w. 34 of the Indian Penal Code and under section 3, 4, 17 of the Protection of Children From Sexual Offences Act, upon their executing P.R. bonds in the sum of Rs.15,000/- (Rs. Fifteen Thousand) each and also upon furnishing surety each in the like amount.

III) The applicants shall not enter the territorial limits of Mudkhed, Taluka – Mudkhed, Dist. Nanded for a period of two (2) years, or till the trial is concluded, whichever occurs earlier, without the prior

permission from the concerned Sessions Court.

6. Criminal Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/-