

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

CRIMINAL APPLICATION NO.6438 OF 2015

Dhanraj Shankarrao Chaudante,  
Age 22 years, Occu. Service,  
(since from 30.12.2014 behind  
the Bar), R/o Samta-Nagar,  
Mudkhed, Taluka Mudkhed,  
District Nanded

..Applicant

Versus

The State of Maharashtra  
through Police Inspector,  
Police Station, Mudkhed,  
Taluka Mudkhed,  
District Nanded

..Respondent

Mr P.R. Adkine, Advocate for applicant  
Mr S.J. Salgare, A.P.P. for respondent

**CORAM : N.W. SAMBRE, J.**

**DATE : 21<sup>st</sup> January 2016**

**PER COURT**

Heard.

2. The applicant is seeking regular bail in Crime No.83/2014 registered at Police Station, Mudkhed, District Nanded, for the offences punishable under Sections 363, 366, 376, 107, 109, 212 of Indian Penal Code and under Section 3, 4 and 5 of the Protection of Children from Sexual Offences Act, 2012.

3. As the investigation in the matter is complete and charge-sheet is filed, the applicant is seeking bail on the ground that his further detention is not necessary and looking to the nature of evidence available on record, according to him, in absence of prima facie case against him, his liberty cannot be curtailed.

3. Learned A.P.P. opposed the application on the ground that consent of victim, who is a minor will be hardly of any assistance to the applicant.
4. Perused the investigation papers, statement of the victim and her statement recorded under Section 164 of Cr.P.C.
5. In view thereof, in my opinion, there is no point in detaining the applicant further.
6. As such, the applicant be released in Crime No.83/2014 registered at Police Station, Mudkhed, District Nanded, for the offences punishable under Sections 363, 366, 376, 107, 109, 212 of Indian Penal Code and under Section 3, 4 and 5 of the Protection of Children from Sexual Offences Act, 2012, upon furnishing P.R. Bond of Rs.15,000/- with one surety in the like amount.
7. The applicant shall keep himself away from the jurisdiction of concerned police station till conclusion of trial, but for attending the investigating Officer.
8. Criminal Application stands allowed in above terms.

**( N.W. SAMBRE, J.)**