

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.2275 OF 2015

Ashok Vilas Deshmukh	...	Applicant
Vs.		
The State of Maharashtra	...	Respondent

Mr. Priyal Sarda, Adv. i/b. Rupesh Zade, Adv. for the applicant.
Mrs. G.P. Mulekar, APP for the State.

CORAM : SMT ANUJA PRABHUDESSAI, J.
DATE : 5th February, 2016.

P.C. :

1. This is an application for bail filed by the aforesaid applicant who is facing trial in Sessions Special Case No.75 of 2015 pending on the file of Sessions Court, Baramati for offences punishable under Sections 363 & 354 of the IPC and Section 8 and 12 of Protection of Children for Sexual Offence Act, 2012.

2. The allegations against the applicant are that on 28th May, 2015 at about 8 pm he kidnapped a minor girl. Pursuant to the FIR lodged by the father of the minor girl, the aforesaid crime came to be registered. The applicant was arrested on 6th June, 2015. Upon completion of investigation chargesheet has been filed and case being sessions triable committed to Addl. Sessions Judge, Baramati. The

application for bail filed by the applicant came to be rejected by the Addl. Sessions Judge, Baramati vide order dated 1st October, 2015. Hence the present application.

3. Heard, Mr. Sarda, the learned counsel for the applicant and Mrs. Mulekar, the learned APP for the State. I have perused the record and considered the submissions advanced by the learned counsels for the respective parties. The records prima facie reveals that at the time of the incident the victim is 16 years and 8 months old. She had stated that she was friendly with the applicant since about last three years. The records further reveal she had eloped with the applicant and gone to the house of one Balu Sawant, the maternal uncle of the applicant. The nature of the allegations levelled against the applicant, in my considered view, do not justify further detention. The applicant is a young boy 25 years of age and is a permanent resident of Pune and has no criminal antecedents. Considering all the above facts and circumstances, the application is granted bail on the following terms and conditions.

- i) The applicant be released on bail on furnishing bail bond of Rs.20,000/(Rupees Twenty Thousand Only) with one or two

solvent surety in the like amount to the satisfaction of the Addl.

Sessions Judge, Baramati.

ii) The applicant shall not interfere with the complainant or any other witnesses in any manner.

iii) The applicants shall not leave district Pune without prior permission of the Addl. Sessions Judge, Baramati.

(ANUJA PRABHUDESSAI, J.)