

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

CRIMINAL APPLICATION NO. 160 OF 2017

Navesh @ Navnath s/o. Laxman Khaire .. Applicant
Age. 21 years, Occ. Nil,
R/o. Junoni, Tq. & Dist. Osmanabad.

Versus

The State of Maharashtra .. Respondent

Mr.E.P. Sawant h/f. Mr. P.B. Gapat, Advocate for the
applicant.

Mr.S.M. Ganachari, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.

DATED : 17.04.2017

P.C. :-

1. This application is filed for bail. Both sides are heard. By way of precaution, this Court had made some orders. This Court tried to ascertain about the child and some record is produced in that regard.

2. There is allegation against present applicant that he raped the prosecutrix, who was about 17 years old, by giving false promise of marriage. He has been behind the bar since August, 2016. An affidavit is filed by the parents of the girl and father of the applicant that they intend to perform marriage of the applicant with the said prosecutrix.

3. Only due to the aforesaid circumstance and as the girl is present before this Court today and as the girl expressed that she has become major and she wants same thing, this Court holds that the relief needs to be granted in favour of the applicant.

i. In the result, the application is allowed.

ii. The applicant-Navesh @ Navnath s/o. Laxman Khaire, be released on bail in connection with Crime No.113 of 2016, registered with Osmanabad Rural Police Station, Dist. Osmanabad, for the offences punishable under section 376 of the Indian Penal Code and sections 4,5(J),2 & 6 of the Protection of Children From Sexual Offences Act, 2012, on his furnishing PR & SB of Rs.15,000/- (Rupees Fifteen Thousand).

iii. The applicant is not to tamper the prosecution witnesses and he is not to commit similar offence.

[T.V. NALAWADE, J.]