

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

CRIMINAL APPLICATION NO. 1912 OF 2017

Pravin s/o. Devchand Chavan .. Applicant
Age. 24 years, Occ. Agri.,
R/o. Sidharth Nagar, Sambhaji Colony,
Kannad, Tq. Kannad,
Dist. Aurangabad.

Versus

The State of Maharashtra .. Respondent

Mr.S.B. Sure, Advocate for the applicant.
Mr.R.V. Dasalkar, A.P.P. for respondent/State.

CORAM : T.V. NALAWADE, J.
DATED : 25.04.2017

P.C. :-

1. This application is filed for bail. The statement was made that this is the first application filed in this Court for bail. Both the sides are heard. The papers of investigation were made available for perusal of this Court.

2. The Crime at C.R. No.12 of 2017 is registered in Kannad Rural Police Station for offences punishable under section 363, 366(A) of the Indian Penal Code and section 12 of the Protection of Children from Sexual Offences

Act. The crime is registered on the basis of report given by mother of the victim girl. The family of the first informant is resident of Upla, situated around 12 kms. from Kannad. It is stated that in the night between 10.02.2017 to 11.02.2017 when the victim girl was sleeping with her parents, in the night time the first informant noticed that the victim girl was not in the house. The search was made but they could not trace the victim girl. They had suspicion against the present applicant. They gave report on 13.02.2017. When the victim girl was traced, statement of the victim girl came to be recorded. The victim girl did not blame present applicant in the statement given on 19.02.2017. The statement shows that the applicant had not taken sexual intercourse with the victim girl. Her age is 16 years and 9 months.

3. The applicant has been behind the bar since 19.02.2017. It is not certain as to how much time will be required for disposal of the case. In view of the material collected against the applicant and the statement of the victim, this Court holds that it is not desirable to keep the applicant behind the bar till disposal of the case.

i. In the result, the application is allowed.

ii. The applicant – Pravin s/o. Devchand Chavan be released on bail in connection with Crime No.12 of 2017, registered with Kannad Rural Police Station, Dist. Aurangabad, for the offences punishable under section 363 and 366(A) of the Indian Penal Code and section 12 of the Protection of Children from Sexual Offences Act, on his furnishing PR & SB of Rs.30,000/- (Rupees Thirty Thousand) with one or more solvent surety in the like amount.

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

iv. The applicant is not to enter village Upla, Tq. Kannad, Dist. Aurangabad, till disposal of the case filed against him.

[T.V. NALAWADE, J.]