

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

**CRIMINAL APPLICATION NO.2241 OF 2017**

Ajaysingh s/o Nathsingh Rathod      ... **Applicant**  
Age 28 years, Occu: Business  
R/o Wagoda Tanda, Tq. Mantha,  
Distrit Jalna.

**VERSUS**

The State of Maharashtra,      ... **Respondent**  
Through Police Station Vajirabad,  
Tq. and Dsit. Nanded

Mrs. S. G. Chincholkar, Advocate for the applicant  
Mr. K. N. Lokhande, APP for the State.

**CORAM     :    K. L. WADANE, J.**

**DATE       :    13th July, 2017**

**ORDER:**

1.        Heard Mrs. Chincholkar, learned counsel for the applicant and Mr. Lokhande, learned APP for the State.
2.        This application is filed under section 439 of the Criminal Procedure Code for bail in connection with Crime No.45/2013, registered at Vazirabad Police Station, Dist. Nanded for the offences punishable under Sections 376, 376(2)(G), 366(A), 506, 109 read with 34 of the Indian Penal Code.
3.        On 20.03.2013, prosecutrix, aged about 18 years, lodged complaint with the Vazirabad Police Station, alleging that she was residing with her mother at Denabank Square, Nanded. Her parents were dealing with

cutlery business. It is alleged that in the month of 2012, the prosecutrix was called by one Gurprit Kaur (Aunty) in her house. She was made to drink Thumsup. Due to which there was some intoxication. Then one person committed sexual intercourse with her. Accused Aunty recorded shutting of the same in her mobile. Thereafter, under the threat that she would display it on Internet, she compelled the prosecutrix to keep physical relations with 3 /4 persons including the present applicant. Due to physical relation, prosecutrix became pregnant and therefore she went to her native place at Patiyala in Punjab. After delivery, she filed the present.

4. From the statement of the informant, it appears that she may be a consenting party to the sexual relation. Furthermore, there was no reason for her to keep mum for a year if at all such sexual intercourse was against her will. Rest of the accused persons having similar allegations were already released on bail. Therefore, the present applicant is also entitled for bail on certain conditions. Hence following order:

#### O R D E R

i. The applicant shall be released on bail in

connection with Crime No.45/2013, registered at Vazirabad Police Station, Dist. Nanded on his furnishing personal bond of Rs.10,000/-(Rupees Ten thousand) with one solvent surety of like amount.

- ii. The applicant shall attend shall Vazirabad Police Station, Dist. Nanded once in a month i.e. on first Monday between 10.00 a.m. to 12.00 noon till conclusion of the trial.

5. Criminal application is disposed of.

**(K. L. WADANE, J.)**

JPC