

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**Criminal Application (BA) No. 140 of 2017**

Kamlesh v. State of Maharashtra

-----  
Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders  
-----

Court's or Judge's orders

-----  
Shri M. P. Kariya, Advocate for applicant  
Shri S. D. Sirpurkar, APP for respondent-State

**Coram : S. B. Shukre, J**

**Dated : March 29, 2017**

Heard learned counsel for the applicant and learned Additional Public Prosecutor for respondent-State. Perused the First Information Report.

It is alleged that before 8-9 months of the incident of throwing of the infant, the applicant had established sexual relations with the victim-girl as a result of which she became pregnant. Though it is alleged that at the time of incident the prosecutrix was aged about 17 years, from the material available on record at this stage it appears that the possibility of the prosecutrix having understood the consequences of her conduct, cannot be rejected. First Information Report was lodged on 25.7.2016 and since then the applicant is in jail and as submitted by learned counsel for the applicant, the trial is yet to commence. The applicant is also a young person, aged about 21 years.

In the circumstances, I am inclined to grant bail to the applicant.

Applicant be released on bail in Crime no. 0342/2016 registered with Police Station, Rahimpur Chincholi, tahsil Anjangaon Surji, District Amravati for the offences punishable under Sections 376 and 506 of the Indian

Penal Code and Sections 5 (j) (2) and 6 of the Protection of Children From Sexual Offences Act, 2012 upon his furnishing PR Bond of Rs. 20,000/- with one solvent surety in the like amount, on the following conditions.

- (i) Applicant shall attend the trial Court regularly on all dates of hearing.
- (ii) Applicant shall not tamper with the prosecution evidence in any manner whatsoever.
- (iii) Applicant shall not reside at village Chincholi where the victim-girl resides till conclusion of the trial. He is directed to leave his residential address with cellphone number (if any) with the trial Court as also the concerned Police Station within seven days from the date of his release.

Application is disposed of accordingly.

**JUDGE**

joshi