

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 3147 OF 2019

Ajinkya Yuvraj Bhosale

...Applicant

V/s

The State of Maharashtra

...Respondent

Mr. Rajaram V. Bansode for the Applicant.

Mr. S. S. Pednekar, APP for the State/Respondent.

CORAM : PRAKASH D. NAIK, J.

DATE : 19th December, 2019

PC :

1. This is an application seeking bail in connection with C.R. No. 72 of 2019 registered with Dahiwadi Police Station, Satara, for the offences punishable under Sections 363, 366, 376(2) (n) of Indian Penal Code, 1860 ('IPC' for short) and Sections 4, 8, 42 of Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. The applicant was arrested on 30th July, 2019. On completing investigation charge-sheet has been filed.

3. The prosecution case is that the victim is aged about 17 years 8 months at the relevant time. The victim was missing from route. The F.I.R. was lodged under Section 363

of IPC. Subsequently, the victim was traced. Her statement was recorded. On completing investigation charge-sheet is filed. The statement of the complainant and the victim would indicate that the applicant and victim were in relationship. The victim had voluntarily accompanied the applicant. She stayed with him. Her statement was recorded on 18.05.2019 and 28.07.2019. In the supplementary statement dated 28.07.2019. She has stated that she has told the applicant that her parents have decided to perform the marriage with some other person and hence they should run away. They boarded S.T. bus and went to Aalandi. They hired a room and stayed in that room.

4. Thus, from the documents on record, it is apparent that, although the victim was minor at the time of incident, she was of the age of understanding. The relationship was consensual in nature. The applicant is in custody from the date of arrest. Charge-sheet is filed and case for grant of bail is made out.

ORDER

(i) Bail Application No. 3147 of 2019, is allowed;

(ii) The applicant is directed to be released on bail in connection with C.R. No. 72 of 2019, registered with Dahiwadi Police Station, Satara, on his furnishing P.R. Bond in the sum of Rs. 25,000/-, with one or more sureties in the like amount;

(iii) The applicant is directed to report the concerned Police Station, once in a month on first Saturday of every month between 10:00 a.m. to 12:00 noon till further order;

(iv) Bail Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)