

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.1199 OF 2019

Amit Laxman Chandanshive, Age 24 years,
Occ.Business, R/o.Bohali, Tal.Pandharpur
presently lodged at jail.

Applicant

versus

The State of Maharashtra

Respondent

Ms.Neha Tawade h/for Jaydeep D. Mane for applicant.
Mr.S.H.Yadav, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 19th November 2019

PC :

1. This is an application for bail in CR No.220 of 2018 registered with Pandharpur Rural Police Station under Sections 363, 366-A, 376, 506 of IPC and Sections 3 and 4 of Protection of Children from Sexual Offences Act, 2012. Initially the offence was registered u/s 363 of Indian Penal Code. Subsequently Sections 376, 506 of IPC and Sections 3 and 4 of Protection of Children from Sexual Offences Act, 2012 were added.

2. The case of the prosecution is that the victim who is aged about 15 years, was acquainted with the applicant. Both of them are related to each other. On 14th December 2018 the victim had left the house. The FIR was lodged by mother of victim alleging that the victim is missing from house. It was also stated that complainant's relative had informed her that she had seen talking with applicant-accused on mobile phone. Even the accused was found missing from

the village. The statement of victim was recorded on 18th December 2018. She has stated that on 12th December 2018 she received call from the applicant. She informed her mother that she is going to answer nature's call and left with the accused. Both of them went to Sangola. They checked into a lodge. There was physical relationship. On the next day they went to Natepute. They again went to lodge and there was physical relationship between them. Subsequently they went to another lodge at Phaltan and there was physical relationship between them. The applicant used to receive calls from their relatives. On 18th December 2018 both of them returned to Pandharpur. During the course of investigation statements of various other witnesses were recorded. Supplementary statement of the complainant was also recorded. The statement of the relative of complainant who had stated that the victim was talking to the accused on the date of incident, was also recorded.

3. On perusal of the statements of witnesses and the material on record it is apparent that the victim had voluntarily left house with the accused. There was physical relationship between them. They had stayed at three different lodges.

4. Taking into consideration aforesaid circumstances, case for grant of bail is made out. Hence, I pass following order :

ORDER

(i) The applicant is directed to be released on bail in connection with CR No.220 of 2018 registered with Pandharpur Rural Police Station on furnishing PR bond in the sum of Rs.25,000/- with one or more sureties in the like amount;

- (ii) The applicant shall report Pandharpur Rural Police Station once in a month on every first Saturday between 10 am and 12 noon till further orders;
- (iii) The applicant shall not contact the victim and tamper with the evidence;
- (iv) Criminal Bail Application No.1199 of 2019 is allowed and disposed of in above terms.

(PRAKASH D. NAIK, J.)

MST