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

CRIMINAL BAIL APPLICATION NO.1747 OF 2019

Ilias Isac Qureshi	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr.K.S.Patil, for the Applicant.

Mr.S.S.Hulke, A.P.P for the Respondent - State.

PSI – V.S.Lande, Mumbrai Police Station, Thane.

CORAM : REVATI MOHITE DERE, J.

DATE : 22nd JULY, 2019

P.C. :

1. Heard learned counsel for the parties.
2. By this application, the Applicant seeks his enlargement on bail in connection with C.R.No.I-213 of 2019 registered with the Mumbra Police Station, Thane, for the alleged offences punishable under Sections 376(2)(n) and 506(2) of the Indian Penal Code and under Sections 4, 9(1) and 10 of Protection of Children from Sexual Offences Act.

3. Perused the statement of the prosecutrix, aged 17 years. She has stated that the incident took place on 28th March, 2019, when she had gone to her friend's house along with the applicant, who was her friend. She has alleged that the applicant had physical relations with her without her consent. The complaint is lodged by the prosecutrix's father, alleging that the applicant, aged 22 years, had physical relations with his daughter, aged 17 years, without her consent. A perusal of the history given by the prosecutrix to the doctor, when she was taken for examination shows that she had gone with her boyfriend on 28th March, 2019 around 8.00 a.m. when she had consensual sexual relations with her boyfriend and returned on 28th March, 2019 at 4.00 p.m. The applicant is in custody since 30th March, 2019. Investigation is complete and charge-sheet is filed.

4. Considering the aforesaid, the application is allowed and the applicant is enlarged on bail on the following terms and conditions:-

ORDER

i) The Applicant be enlarged on bail on furnishing P.R. Bond in the sum of Rs.10,000/- with one or two sureties in the like amount;

- ii) The Applicant shall attend the concerned Police Station, on the first Saturday of every month, between 10:00 a.m. to 11:00 a.m., till the conclusion of the trial;
- iii) The Applicant shall not tamper with the evidence or attempt to influence/contact the complainant, witnesses or any person concerned with the case;
- iv) The Applicant shall co-operate in the conduct of the trial.

5. The Application is allowed and disposed of in above terms.

6. It is made clear, that the observations made herein are *prima facie* and are confined to this application and the learned Judge to decide the case on its own merits, uninfluenced by the observations made herein.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.