

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

CRIMINAL BAIL APPLICATION NO. 3301 OF 2019

Nagesh Ishwar Falke

...Applicant

Versus

The State of Maharashtra

...Respondent

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Mr. Rohit Shevate i/b Jaydeep D. Mane, Advocate for the Applicant.
Ms. Pallavi N. Dabolkar, APP for the State-Respondent.

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CORAM : PRAKASH D. NAIK, J.

DATE : 30th January, 2020

PC :

1. This is an application for bail in C.R. No. 120 of 2019 registered with Pandharpur Rural Police Station, Dist. Solapur Rural for offences punishable under Sections 363, 366, 376 of Indian Penal Code and Section 4, 8, 12, 16 of The Protection of Children from Sexual Offences Act, 2012. (for Short “POCSO Act”).

2. The applicant was arrested on 19th August, 2019. The investigation is completed and the charge sheet is filed. The brief facts of the prosecution case is that on 12th April, 2019 accused No.1 kidnapped the victim aged about 14 year 3 months from lawful guardianship of her parents to compel her to marry him and subjected her to penetrative sexual assault. The other accused allegedly abetted accused No.1 for commission of crime. The main accused was arrested on 23rd June, 2019. The co-accused Sagar Falke

and Rani Falke were arrested and they were granted bail by the Sessions Court by order dated 8th July, 2019. There are no criminal antecedents against the applicant.

3. The only role attributed to the applicant is that he aided and abetted the main accused by taking them on his motorcycle. The accused attributed similar role are granted bail by the Sessions Court. In view of the above, further detention of the applicant is not called for. Hence, case for grant of bail is made out.

4. Hence, I pass the following order.

ORDER

- i) Bail Application No.3301 of 2019 is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 120 of 2019 registered with Pandharpur Rural Police Station, Dist. Solapur Rural on furnishing P. R. bond in the sum of Rs. 25,000/- with one or more sureties in the like amount;
- iii) The applicant shall report concerned police station once in a month on every first Saturday between 10.00 am. to 12.00 pm. till further order.
- iv) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)