

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

CRIMINAL BAIL APPLICATION NO. 371 OF 2020

Vikas Shankar Pate

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Mr. Uday B. Nighot, Advocate for the Applicant.

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

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CORAM : PRAKASH D. NAIK, J.

DATE : 2nd MARCH, 2020

PC :

1. The applicant is seeking bail in C.R. No. 206 of 2019 registered with Narayangaon Police Station, Taluka Junnar, Dist. Pune for offences punishable under Section 376, 363, 366(A) of Indian Penal Code and Section 4 & 8 of Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO Act').
2. The complaint was lodged by the father of victim on 2nd July, 2019. The victim is girl aged about 16 years, 9 months. The statement of the victim was recorded on 11th July, 2019.
3. The victim stated that, she was acquainted with the applicant/accused who had visited her house. They developed friendship. On 1st July 2019, the parents of the victim had gone to native place. The applicant/accused told her to accompanying him. He went with him

on motorcycle. They went to Shirur. They performed marriage in the Ganesh Temple and from there they went to house of relative of applicant. They stayed there. There was physical relationship between them. Subsequently, they were traced. On completing investigation, charge-sheet is filed.

4. The applicant is in custody since 12th July, 2019. From the tenor of the FIR, statement of the victim it is apparent that victim and applicant were acquainted with each other. She had joined the applicant and both of them went to the places mentioned in the FIR. They performed marriage and stayed with applicant's relatives. There was physical relationship between them. The victim is of age of understanding. Considering the factual matrix of this case, bail can be granted to the applicant.

5. Hence, I pass the following order :

ORDER

- i) Bail Application No. 371 of 2020 is allowed;
- ii) The applicant is directed to be released on bail in connection with C.R. No. 206 of 2019 registered with Narayangaon Police Station, Taluka Junnar, Dist. Pune 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 11.00 am. to 1.00 pm. till further order.
- iv) The applicant shall not tamper with the evidence.
- v) Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)