

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1732 OF 2019

Mr. Rinku Ashok

....Applicant

v/s.

The State of Maharashtra

....Respondent

Mr. Aditya R. Mokashi i/by. R.B. Mokashi and
Association, Advocate for the applicant.

Mrs. J.S. Lohakare, APP for the State.

CORAM : SANDEEP K. SHINDE, J.

Friday, 28 February, 2020.

P.C. :

1. Applicant is seeking his enlargement on bail in Crime No.10/2018 registered with Shahunagar Police Station for the offences punishable under Sections 363, 376(n) of the Indian Penal Code alongwith offences under Section 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. The investigation in the case is over and the final report has been filed. It shows, the victim had performed marriage with the applicant which is evident from the Certificate of Marriage. It shows that, on the date of the marriage, the victim was 19 years old. Besides, in the missing complaint, victim's mother had disclosed her age as 18 years. The complaint and the evidence on record, prima-facie, suggest that the victim had accompanied the applicant and had submitted to his physical desires voluntarily. The investigation in the case is over and the trial may not commence in the near future.

3. In view of the facts of the case and the nature of accusations made against the applicant, he is directed to be released on bail in C.R. No. 10/2018 registered with Shahunagar Police Station, on furnishing P.R. Bond of Rs.20,000/- (Rs. Twenty Thousand only) with one or two local solvent sureties in the like sum.

4. The applicant shall report to the Investigating officer once in a month i.e. on

second Monday of each month from March, 2020 till the charge is framed.

5. The applicant shall furnish the particulars of his local and permanent place of residence and contact details to the Investigating Officer of the Police Station concerned within seven days from today.

6. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

7. It is made clear that observations made hereinabove shall be construed as expression of opinion only for the purpose of granting bail and the same shall not in any way influence the trial in other proceedings.

(SANDEEP K. SHINDE, J.)