

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO. 738 OF 2020

(Prakash Naresh Zalake **Vrs.** State of Maharashtra, P.S.O., P.S. Adyal,
Tah. Pauni, Dist. Bhandara)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.A. Dhawas, Adv. for the applicant.
Mrs. S.S. Jachak, APP for the non-applicant / State.

CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 15, 2020.

Heard.

2 The applicant is seeking bail in Crime No. 119/2020 registered at Police Station Adyal, Tah. Pauni, District Bhandara, for the offence punishable under Sections 376(2)(n), 376(3) and 506 of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012

3. Perused the application, affidavit-in-reply filed on behalf of the State and the charge-sheet, with the assistance of learned counsel for both the parties.

4. At the outset, the case is of love affair and physical relations on the pretext of marriage. The age of girl is around 15 years and the age of the present applicant is 25 years.

5. Learned Counsel for the applicant pointed out the statement of the victim recorded on 06/05/2020 wherein she did not say anything about physical relations

between her and the applicant, though they developed friendship.

6. It is submitted that the applicant is ready to marry the victim but as she has not attained the age of majority, marriage cannot be performed.

7. At this stage, though the case for the alleged offence is appearing, however, considering the age of the boy, this Court is inclined to grant him bail. Hence, the following order :

(i) The applicant – Prakash Naresh Zalake be released on bail on executing Personal bond of Rs. 30,000/- (Rs. Thirty thousand only) with one surety in the like amount.

(ii) The applicant shall not issue threats or pressurize the victim.

(iii) The applicant to attend the concerned police station once in a month i.e. on every first Thursday of the month between 12.00 noon and 2.00 p.m.

(iv) Needless to say that the aforesaid observations are only for the purpose of deciding this application and the same shall not come in the way of the trial Court to decide the trial.

JUDGE