

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

LD-VC-CRIMINAL APPLICATION (BA) NO. 1206 OF 2020

(Suraj s/o Rajkumar Jamnik ..vs.. State of Maharashtra, through PSO, PS Murtizapur City)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri A.S. Londhe, Counsel for the applicant,
Shri J.Y. Ghurde, Addl.PP for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 03-09-2020

Hearing was conducted through video conferencing and the learned Counsel agreed that the audio and visual quality was proper.

2. Heard.

3. The applicant is seeking release on bail in Crime 71/2020 registered with Murtizapur Police Station for offences punishable under Section 376(n) of the Indian Penal Code and Sections 4 and 12 of the Protection of Children from Sexual Offences Act.

4. The incident occurred on 13-10-2020 and according to the complainant, she was taken to a lodge and subjected to sexual intercourse after promising marriage. The report is, however, lodged on 05-4-2020.

5. According to the prosecution, the age of the complainant is 17 years 4 months and 16 days and, therefore, it is not relevant as to under which circumstances the sexual relationship was established. The age and proof thereof is a matter of trial.

6. The investigation is complete and the charge-sheet is filed.

7. Considering the delay in lodging the first information report and other attending circumstances, the applicant has made out a case for grant of bail.

8. The application is allowed.

9. The applicant be released on bail on furnishing personal bond of Rs.25,000/- with a solvent surety of like amount.

10. The applicant shall attend Police Station Murtizapur, District-Akola as and when directed by the Investigating Officer, till the filing of the charge-sheet.

11. The applicant shall not make any attempt to tamper with the evidence or to influence witnesses.

12. The order be communicated to the Counsel appearing for the parties, either on the email address or

on WhatsApp or by such other mode, as is permissible in law.

JUDGE

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