

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

CRIMINAL APPLICATION (BA) NO. 1155 OF 2020

(Akash Devidas Ingle vs. The State of Maharashtra thr. PSO, PS Ural, Akola)

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

Court's or Judge's orders.

Shri M.N. Ali, Advocate for the applicant.
Shri S.A. Ashirgade, APP for the non-applicant –
State.

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CORAM : PUSHPA V. GANEDIWALA, J.
DECEMBER 16, 2020.

Heard Shri Ali, learned counsel for the
applicant and Shri Ashirgade, learned APP for the
non-applicant – State.

2. The applicant – Akash Devidas Ingle, is seeking bail in Crime No. 35 of 2020 dated 05.02.2020 for the offence punishable under Sections 363, 366, 376, 376(3), 417, 506 of the Indian Penal Code, read with Sections 3, 4, 5 (L), 6 of Prevention of Children from Sexual Offences Act, 2012, registered by Ural Police Station, Akola.

3. Perused the application, affidavit-in-reply filed on behalf of the non-applicant – State and the charge sheet.

4. At the outset, the case appears to be of love affair and sexual relationship. The age of the prosecutrix is 16 years and the applicant is a young boy aged about 25 years. It is stated that the prosecutrix stayed with the applicant for one month and when her father died, she returned to her house and thereafter, at the instance of her uncle, she lodged report.

5. A perusal of the charge sheet further reveals that the family of the applicant gave proposal of marriage of the applicant with the prosecutrix, however, it could not be materialized due to the age of the prosecutrix, she being minor.

6. The applicant is in custody since 05.02.2020 and now the investigation is completed and charge sheet is also filed. No purpose would be subserved by keeping the applicant behind the bars. Hence, this court is inclined to grant the applicant bail.

7. In the circumstances, Criminal application is allowed on the following conditions :

(i) The applicant – Akash Devidas Ingle, shall be released on bail on executing Personal Bond of Rs.

20,000/- (Rs. Twenty thousand only) with one surety in the like amount.

(ii) The applicant shall not issue threats or tamper the prosecution witnesses.

(iii) The applicant shall attend Police Station once in a month on every first Thursday of the month.

8. Needless to mention that the observations made in this application are strictly for deciding the present application of the applicant and the trial Court shall not get influenced by the same and shall be free to decide the matter on its merits.

JUDGE

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