

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.810 OF 2021**

Akash Parappa Mane ... Applicant

V/s.

The State of Maharashtra ... Respondent

Ms. Anjali Patil, Advocate for the Applicant.

Ms. P.P. Shinde, APP for the Respondent – State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 7th MAY 2021.

PC. : Through Video Conferencing.

1. Heard the learned counsel for the applicant and the learned APP for the Respondent – State.
2. This is an application under section 439 of Code of Criminal Procedure, 1973. The applicant herein seeks bail in Crime No.1185/2020 registered at Uttam Nagar Police Station for the offences punishable under sections 4, 8 and 12 of Protection of Children against Sexual Offences Act, 2012. Investigation is completed and charge sheet is filed.
3. It is the case of the prosecution that Ms.X lodged a report at the Police Station on 10th August 2020 alleging therein that the

complainant was acquainted with the applicant since she had met him when she was attending P Jog Classes in 11th and 12th Standard. That, they were in love. They were talking to each other on their respective cell phones. According to the complainant, the applicant had taken her to different places on several occasions and had ravished her against her will. According to her, the applicant had also extorted money from her. He had taken about Rs.40,000/- from the complainant which she had to shell out since applicant had taken their intimate photographs and was threatening her that he would publish those photographs on the social media. Initially, the applicant had assured her of marriage and thereafter, had ravished her. Finally, she was constrained to lodge a report.

4. According to the learned counsel for the applicant, the complainant and the applicant had decided to get married and had decided to keep some money separately in order to buy a house for themselves and therefore, she had shelled out Rs.40,000/-. It is also submitted that the applicant had no intention of cheating the complainant. In any case, the complainant had attained majority and according to the applicant, it was a consensual act.

5. Be that as it may, the applicant is in custody since August, 2020. As on today, applicant has deposited Rs.40,000/- in the account of the complainant in Bank of Maharashtra today itself. The money is deposited in the account of the complainant. The receipt is placed on record. The same is taken on record and marked as "X" for the purpose of identification. In view of this, the applicant who is also a young person aged about 23 years deserves to be enlarged on bail. Hence, the following order :-

ORDER

- (i) The application is allowed;
- (ii) Applicant be enlarged on bail on furnishing PR. Bond in the sum of Rs.25,000/- and solvent sureties in the like amount;
- (iii) Applicant be released on provisional cash bail for a period of 8 weeks during which he shall furnish solvent surety to the satisfaction of the Court;
- (iv) Application is disposed of above on above terms.

(SMT. SADHANA S. JADHAV, J)