

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.673 OF 2022

Salman s/o. Shabbir Shaikh ..Applicant

Vs.

The State of Maharashtra ..Respondent

Ms.Vanita H. Sangole, Advocate for applicant

Mr.S.P.Sonpavale, APP for respondent no.1

Mr.S.S.Kazi, Advocate for respondent no.2

CORAM : R.G. AVACHAT, J.

DATE : JULY 13, 2022

ORDER :-

This is an application under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.693 of 2021 registered with Tophkhana Police Station, Dist.Ahmednagar.

2. Heard learned counsel appearing for the parties.

3. Learned APP and the learned counsel representing the victim has strongly opposed the application. According to them, the D.N.A. report names the applicant in the offence in question.

4. Perused the police papers. It appears to be a case of emotional involvement. The victim, at the relevant time, was of 17 years and 7 months of age approximately. Her actual age is yet to be proved during trial. The applicant is 21 years of age at the relevant time. In this scenario, the application deserves to be allowed.

5. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.693 of 2021 registered with Tophkhana Police Station, Dist.Ahmednagar, on executing P.R. Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount .

(iii) The applicant shall not tamper with the prosecution evidence in any manner.

[R.G. AVACHAT, J.]

KBP