

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

BAIL APPLICATION NO.908 OF 2022

Ajju @ Azharuddin Aminuddin @
Aamdeeya Shaikh

... APPLICANT

VERSUS

The State of Maharashtra

... RESPONDENT

.....
Mr. S.R. Kolhare, Advocate for applicant
Mr. N.T. Bhagat A.P.P. for respondent – State
.....

CORAM : R. G. AVACHAT, J.

DATE : 11th AUGUST, 2022.

PER COURT :

Heard. This is an application for bail under Section 439 of the Code of Criminal Procedure. The applicant has been arrested in connection with Crime No.0475/2021, registered at Chalisgaon Police Station, District Jalgaon for the offences punishable under Sections 366, 376, 376(2)(n), 376(2)(k) of the Indian Penal Code.

2. Perused the First Information Report (F.I.R.) and the related papers. The F.I.R. has been lodged by the victim herself at Police Station in Madhya Pradesh. Since the offence took place at Chalisgaon, the same came to be transferred to

Chalisgaon Police Station for investigation. The informant (victim) is 20 years of age. It is her case that, she had been to her maternal grandfather's house at Chalisgaon. The applicant came there, made a call on her cell phone on the midnight of 22/11/2021 and called her out to meet him. Once she came out, he kidnapped her and took her to Burhanpur.

3. On investigation, the charge sheet has been filed. Close scrutiny of the police papers indicate the applicant and the victim to have been emotionally involved. The informant is major. Both of them have stayed together for about 20 days. Since on investigation the charge sheet has been filed, it will take time for commencement of the trial and conclusion thereof. It appears to be a case of consensual relationship.

4. True, the applicant has criminal antecedents. Over 15 crimes have been registered against him. However, the material which the prosecution proposes to rely to make out the case lead this Court to grant bail to the applicant. Hence the order :

ORDER

(i) The Bail Application is allowed.

(ii) The applicant be released in connection with Crime No.0475/2021, registered at Chalisgaon Police Station, District Jalgaon for the offences punishable under Sections 366, 376, 376(2)(n), 376(2)(k) of the Indian Penal Code on his executing P.R. bond in the sum of Rs.50,000/- (Rupees fifty thousand) with one surety in the like amount.

(iii) The applicant shall furnish his cell phone number and place of abode while furnishing bail before the trial Court.

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

**(R. G. AVACHAT)
JUDGE**

fmp/-