

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

BAIL APPLICATION NO.1024 OF 2022

Manoj s/o. Ramrao Dange

..Applicant

Vs.

The State of Maharashtra
and anr.

..Respondents

Mr.P.P.More, Advocate h/f. Mr.S.A.Ambad, Advocate for applicant

Mr.A.V.Deshmukh, APP for respondent no.1

Mr.A.M.Reddy, Advocate h/f. Mr.A.A.Phad, Advocate for respondent
no.2

**CORAM : R.G. AVACHAT, J.
DATE : AUGUST 10, 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.0326 of 2022 registered with M.I.D.C. Latur Police Station, Dist. Latur.

2. Heard learned counsel appearing for the parties.

3. Learned counsel for the intervenor has a strong reservation to grant bail to the applicant as, according to him, the if bail is granted, the applicant will trouble the informant.

4. The FIR has been lodged by the informant (victim) on 14.06.2022. In the FIR, the victim claimed to have been 15 years and 11 months old. What can be gathered from the FIR is that she was emotionally involved with the applicant for little over one year. The parents of the informant, however, decided to give her in marriage to the son of her maternal uncle. The applicant herein appears to have played spoilsport. He intervened and the proposed marriage could not be settled. In the FIR, it has been alleged that the applicant had sexual intercourse with the informant many a time against her wish and without her consent.

5. True, consent of the informant may be irrelevant because she being below 18 years of age. Such sexual intercourse is said to have been taken place two months before 14.06.2022. The very fact leads this Court to grant bail to the applicant.

6. In view of the above, the Court is inclined to grant the applicant bail. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0326 of 2022 registered with M.I.D.C. Latur Police Station, Dist.

Latur, 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.

(iv) The applicant shall not trouble the informant.

[R.G. AVACHAT, J.]

KBP