

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

BAIL APPLICATION NO.1227 OF 2022

Vishal s/o. Bhimrao Shelke	..Applicant
Vs.	
The State of Maharashtra	..Respondent

Mr.S.G.Kawade, Advocate for applicant
Mr.R.B.Bagul, APP for respondent

**CORAM : R.G. AVACHAT, J.
DATE : SEPTEMBER 05, 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.0050 of 2022 registered with Akhada Balapur Police Station, Dist.Hingoli.

2. Heard learned counsel appearing for the parties.
3. The First Information Report (FIR) has been lodged by the victim herself on 26.02.2022. It has been alleged therein that the applicant, with a false promise of marriage, sexually exploited the informant/victim many a time. She even conceived and delivered a baby boy. The DNA report is awaited.

4. Learned APP would submit that the victim has given her statement under Section 164 of the Code of Criminal Procedure, alleging the applicant to have sexually exploited her with a false promise of marriage. He, therefore, urged for rejection of the application.

5. On investigation, charge sheet has been filed. The FIR has been lodged eight months after the last alleged sexual assault. The applicant is 19 years of age. The victim is 22 years of age. It appears to be a case of consensual relationship. Considering the age of the applicant and the fact that on investigation, charge sheet has been filed, the Court is inclined go grant the applicant bail.

6. Hence, the following order:-

(i) The application is allowed.

(ii) The applicant be released in connection with Crime No.0050 of 2022 registered with Akhada Balapur Police Station, Dist.Hingoli, 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

