

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

BAIL APPLICATION NO.1464 OF 2022

Mayur Ramesh Koli

... APPLICANT

VERSUS

The State of Maharashtra & anr.

... RESPONDENTS

.....
Mr. Satej S. Jadhav, Advocate for applicant
Mr. R.B. Bagul, A.P.P. for respondent No.1 – State
Ms Satyabhama R. Awad, Advocate for respondent No.2.
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CORAM : R. G. AVACHAT, J.

DATE : 26th SEPTEMBER, 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.62/2022, registered at Jamner Police Station, District Jalgaon for the offences punishable under Sections 363, 376, 506, 302 and 201 of the Indian Penal Code and Sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012.

2. The F.I.R. has been lodged by the victim herself on 31/1/2022. The applicant is 24 years of age. In the F.I.R.

itself it has been stated that, the informant and the applicant were emotionally involved. Before registration of the crime, similar crime has been registered against him, based on the F.I.R. lodged by grandfather of the informant. In that case, the applicant was granted bail.

3. It has been averred that, post grant of bail in the earlier crime, the applicant again started harassing the informant. He extended a false promise of marriage and sexually exploited her during the period June/ July 2021. The facts, however, indicate that, the present F.I.R. came to be registered only after the informant conceived and delivered a baby.

4. Reading between the lines indicate it to be a consensual relationship. The informant was little over 17 years of age. The applicant is 24. The learned A.P.P. and the learned counsel representing the respondent No.2 victim would submit that, the applicant has indulged in similar offence. Even on grant of bail, he may try to be after the informant. They, therefore, urged for rejection of the bail application.

5. Since it appears to be a consensual relationship, and on investigation the charge sheet has been filed, the

Court is inclined to grant the applicant bail. Hence the order :

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.62/2022, registered at Jamner Police Station, District Jalgaon for the offences punishable under Sections 363, 376, 506, 302 and 201 of the Indian Penal Code and Sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012 on his 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 enter the village Rotwad, Taluka Jamner, District Jalgaon nor shall he attempt to contact the informant any way till conclusion of the trial.
- (iv) The applicant shall not tamper with the prosecution evidence.

(R. G. AVACHAT, J.)

fmp/-