

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

32 BAIL APPLICATION NO.1768 OF 2022

SAGAR DAGADU PATIL
VERSUS
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Waramaa B. R.
APP for Respondent-State : Ms. V. S. Choudhari.

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CORAM : S. G. MEHARE, J.
DATE : 05.12.2022

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.
2. The applicant has been arrested on 28.09.2022. He has the case that he never harassed the victim for sexual harassment and never followed her despite her clear indication of the disinterest. The victim was above 17 years at the time of the alleged incident. They were proposed to marry, but since she was minor, the marriage was postponed. However, mean time the parents learnt about the affair. Hence, they forced the victim to lodge the report. The victim never complained against the applicant. The charge sheet has also been filed.

The applicant is a young boy having no antecedents to his discredit.

3. Learned APP opposed the application. She would argue that the accused harassed the victim for no reason. He even followed her when she expressed her disinterest. She has lodged the report with her free will. There may be the possibility of repeating the crime at his hands. Hence, the applicant may not be granted bail.

4. There appears substance in the argument advanced by the learned counsel for the applicant that the victim and the accused were in relationship. Possibility of pressurizing the victim by her parents cannot be ruled out. Nothing is to be recovered from the applicant. There are no antecedents to his discredit. The charge sheet has also been filed. In these circumstances, it would be inappropriate to keep the applicant behind the bar. However, the apprehension of the prosecution may be guarded by imposing certain conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.

- (ii) Applicant **SAGAR DAGADU PATIL** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.402 of 2022, registered by Police Chopda City, District Jalgaon, for the offences punishable under Sections 354A(1)(i), 354-D, 323, 506 of the IPC and Section 12 of the POCSO Act on condition not to contact the victim till conclusion of the trial and not to tamper with the other witnesses.

(S. G. MEHARE, J.)

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vmk/-