

(1)

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

BAIL APPLICATION NO.1948 OF 2022

CHATRAGUN PUNJARAO SOLANKE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Kulkarni Vaibhav B.
APP for Respondent/State : Mr. S.B. Narwade
Advocate for Respondent No.2 : Mr. R.D. Biradar

...

CORAM : S.G. MEHARE, J.

DATED : 21st DECEMBER, 2022

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the victim.
2. The victim was in advanced age of 17 years, 10 months and 7 days on the day of the incident. Her statement reveals that she voluntarily eloped with the applicant. The charge sheet does not reveal that anytime, she resisted the applicant. However, she left the home on 03.08.2022 and was residing with the applicant till 15.08.2022. Considering her age, it can safely be said that she was matured to know the consequences of her acts. She was about to become major. In view of that matter, the applicant deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.

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(ii) The applicant, Chatragun Punjarao Solanke, be released on bail on executing P.B. and S.B. of Rs.50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in connection with Crime No.240 of 2022, registered at Sengaon Police Station, District Hingoli for the offence punishable under Sections 363, 366(A), 376(2)(n), 506 of the Indian Penal Code and under Section 4, 8 and 12 of Protection of Children from Sexual Offences (POCSO) Act, 2012, on the condition that;

- (a) He shall not contact the victim till conclusion of the trial.
- (b) The applicant shall not tamper with the prosecution evidence.

(S.G. MEHARE, J.)