

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 126 OF 2022

Pravin S. More ...Applicant
V/s.
State of Maharashtra & anr. ...Respondents.

Mr.Siddharth Mehta i/b Ms Aarti Bhonsle for the Applicant.
Mr. P.H. Gaikwad- Patil , APP for the Respondent/State
Ms Manisha Devkar, Appointed Advocate for the Respondent No.2.
API Mr. Laxman Survase attached to Kondhwa Police Station
present.

CORAM : N.R. BORKAR, J.
DATE : 13.12.2022.

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure (Cr.P.C) for bail.
2. The applicant came to be arrested in Crime No.421 of 2021 registered at Kondhwa Police Station, Pune city for the offences punishable under Sections 376, 376(2)(n), 376(3) of the Indian Penal Code (IPC) and Sections 4,8 and 12 of the Protection of Children from Sexual Offences Act (POSCO Act).
3. I have heard the learned counsel for the applicant, the learned APP for the respondent – State and the learned Counsel for respondent No.2.
4. Admittedly, there was a love affair between the present applicant and the victim girl. It appears that even they stayed

together for about one year. In a statement recorded under Section 164 of Cr.P.C., the victim has stated that her grievance against the applicant would be over if he marries her. The learned counsel for the applicant on instructions submits that the applicant is ready to marry with the victim girl. The applicant is in jail for more than 1 and $\frac{1}{2}$ years. Considering the facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] Bail Application is allowed.

B] The applicant be released on bail in C.R. No.421 of 2021 registered at Kondhwa Police Station, Pune city for the offences punishable under Sections 376, 376(2)(n), 376(3) of the IPC and Sections 4,8 and 12 of the POSCO Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]