

months. It is alleged that, in September – 2019, the grandmother of victim took her to Nashik and thereafter, the victim stayed with her aunt at Nashik. Her aunt performed marriage and left for some place. There were quarrels between the victim and her grandmother. Hence, she left the house and stayed outside hostel situated at Untwadi. One lady approached her and inquired with her the reason for waiting at spot. The victim accompanied that lady, who gave her name as Sultana @ Alisha. The victim was provided the lunch by said lady and she was taken to her house. Thereafter, the said lady Sultana @ Alisha told the victim to act as per her instructions. She was made to eat some stupefying substance, as a result of which she was unconscious and after she regained consciousness, it was realized that she was nude and there was bleeding from her private part. She noticed some boys standing near the said place and they were laughing at her. Those boys also stated that they have video of the victim. On the next day one person came to the house of Sultana. The victim was made to sit in his car. The said boy took her to some place and subjected her to physical relationship. She was dropped home. The victim was taken to house of another boy named Ganesh and the victim was told to have physical relationship with the said boy. The said person named Ganesh had physical relationship with the

victim. Thereafter, the victim had physical relationship with Jayesh Jadhav under coercion. The accused threatened her that objectionable video would be made viral. The applicant and her friends Sajjo, Hajara and Manisha are indulging in prostitution activities. They are associated with each other. Alisha used to drop the victim to various customers. The victim attempted to flee from the house of Alisha, she was assaulted by the accused. Three days prior to lodging the FIR, friend of Alisha, Sajjo decided to sell her to some person. The victim was taken out of the house. She suspected the intention of the accused and managed to run away from their custody. She met one person, who helped her in approaching the Police and lodging the FIR. Thereafter, supplementary statement of the victim was recorded on 06.07.2020, wherein she showed the house of the applicant and police arrested the applicant.

3. From the FIR it is apparent that the victim had left the house of her grand mother and came in contact with the co-accused Sultana @ Alisha and thereafter, she was subjected to physical relationship by the accused persons. The applicant is friend of Alisha and indulging in prostitution activities. The FIR however indicate that she was sent to various persons by the co-accused. It

is alleged that the applicant was associated with Alisha and her friends. The applicant is in custody for a period of about 2 years. The applicant has not subjected victim to indulging in prostitution. There is no averment that applicant has forced victim to have physical relationship with any person. There are no criminal antecedents against the applicant.

4. Learned APP and learned Advocate for complainant/respondent No.2 submitted that the victim was minor. She was subjected to sexual assault. The accused was indulging in prostitution activities. The victim was forced to have physical relationship with the customers . The offence is of serious nature.

5. However, considering the overt act attributed to the applicant and the fact that the applicant is in custody for a period of two years, further detention of the applicant is not necessary.

6. Hence, I pass the following order:

ORDER

- i. Criminal Bail Application No.2320 of 2021 is allowed;
- ii. The applicant is directed to be released on bail in connection with C.R. No.320 of 2020 registered with Bhadrakali Police Station, Nashik on executing P.R. Bond in the sum of Rs.20,000/- with one or more sureties in the like amount;

- iii. The applicant is permitted to furnish cash bail in the sum of Rs.20,000/- for a period of eight weeks in lieu of surety.
- iv. The applicant shall report concerned Police Station once in a month on first Saturday of the month between 11:00 a.m. to 1:00 p.m. for a period of six months and thereafter, once in three months on first Saturday of the month between 11:00 a.m. to 1:00 p.m till further order;
- v. Application stands disposed of accordingly.

(PRAKASH D. NAIK, J.)