

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.1247 OF 2022

Smt. Sunita W/o Pawan Rangari .Vs. State of Maharashtra, through P.S.O. Kapil
Nagar, Tal. & Dist. Nagpur and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.T. Bhautik, Advocate for the applicant.

Shri S.D. Sirpurkar, A.P.P. for the non-applicant No.1/State.

Ms N.G. Chaubey, Advocate for the non-applicant No.2 (Appointed).

CORAM : ANIL S. KILOR, J.

DATED : 12/12/2022

1. Heard.
2. The applicant is seeking bail in Crime No.81 of 2022, registered with Police Station: Kapil Nagar, District: Nagpur, for the offences punishable under Sections 363, 366(A), 368, 376(2)(n), 370, 370(a), 504 and 120-B of the Indian Penal Code, Sections 4, 6, 8, 10 and 21 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to as "POCSO Act") and Sections 9 and 11 of the Prohibition of Child Marriage Act, 2006.
3. In this crime, the allegations are that, with the permission of mother of the applicant i.e. Ishwar had taken the victim to Indore for providing work whether the victim waited for 10 to 12 days but no work was provided. It is alleged that, thereafter, the applicant and other accused they

forced her to marry with co-accused Mahesh. Thus, the allegation against the applicant are that she asked and forced her to marry with co-accused Mahesh.

4. In this case, the charge-sheet was filed on 26.05.2022 and the applicant is in jail from 12.05.2022. As the investigation is completed and considering the allegations against the applicant and she being a lady, I am of the opinion that further custody of the applicant is not necessary.

5. In the circumstances, though the learned APP and learned counsel for the non-applicant No.2 are opposing the present application, I am of the opinion that the applicant is entitled for grant of bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that the applicant shall be released on bail in Crime No.81 of 2022, registered with Police Station: Kapil Nagar, District: Nagpur, for the offences punishable under Sections 363, 366(A), 368, 376(2)(n), 370, 370(a), 504 and 120-B of the Indian Penal Code, Sections 4, 6, 8, 10 and 21 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred

to as “POCSO Act”) and Sections 9 and 11 of the Prohibition of Child Marriage Act, 2006, on furnishing P.R. Bond of Rs.25,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station as and when her presence is required.
- d) The applicant shall not tamper with the prosecution witnesses.
- e) Fees of the learned counsel for the non-applicant No.2/Victim, be quantified as per the Rules.

The criminal application is **disposed of** accordingly.

JUDGE