

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 29 OF 2023

SUDHIR @ PRAKASH WAGHU CHAVAN
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Sandip P. Rathod
APP for Respondent No.1 : Mr. S. P. Sonpawale
Advocate for Respondent No.2/victim : Mr. Chetan Jadhav
(Appointed)
...

CORAM : S. G. MEHARE, J.

DATE : 08-02-2023

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1 and the learned counsel appointed for respondent No.2.

2. In a statement of the victim under Section 164 of the Code of Criminal Procedure, she stated that she has no complaint against the applicant. Her statement also reveals the role attributed to the applicant is contradictory; hence, that raises a doubt. He was auto rickshaw driver. Considering the papers placed on record, it appears that his role was limited to carry the passengers. Therefore, the applicant deserves bail. Hence, the following order :-

- i) Application is allowed.

- ii) Applicant Sudhir @ Prakash Waghu Chavan be released on bail, on furnishing PB and SB of Rs.20,000/-, with one solvent surety of the like amount, in C.R.No.I-302 of 2022 registered with Mukundwadi Police Station, Taluka and District Aurangabad, for the offences punishable under Sections 363, 366A, 376, 376(2)(n) read with Section 34 of the Indian Penal Code and Sections 3, 4, 5, 6 and 17 of the Protection of Children From Sexual Offences Act, on the conditions that;
 - (a) He shall not tamper with the prosecution witnesses;
 - (b) He shall not to involve in similar crime.
- iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad, do pay the fee to the learned counsel appointed for respondent No.2/victim as per the schedule.

(S. G. MEHARE)
JUDGE

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