

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

BAIL APPLICATION NO.62 OF 2023

MUNJABA @ AMAR SHESHERAO TAUR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Mahesh P. Kale
APP for Respondent/State : Mr. S.P. Sonpawale
Advocate for Respondent No.2 : Mr. V. B. Garud (Appointed Through
Legal Aid)

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CORAM : S.G. MEHARE, J.

DATED : FEBRUARY 14, 2023

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the mother of the victim.
2. At the time of the alleged incident, the victim was 17 years and 9 months old. She used to go to school in the vehicle of the applicant. One fine morning, she did not reach home; hence, her parents expressed doubt against the applicant. She was with the applicant for about six days. In these six days, she never resisted the applicant nor made an attempt to flee away. Lastly, both were apprehended together in a room. Her statement shows that the applicant never abused and ill-treated her. Therefore, the applicant's case of love affair appears probable. That apart, she was in advanced

age and able to know the consequences of the act she was doing. Nothing is to be recovered from the applicant.

3. Learned counsel for the mother of the victim expressed an apprehension that the applicant may disturb the victim and she may not be able to appear in her 12th examination. Therefore, certain conditions may be imposed. Hence, the following order :

ORDER

(i) Bail Application is allowed.

(ii) The Applicant, Munjaba @ Amar Shesherao Taur, 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.353 of 2022, registered with Majalgaon Rural Police Station, District Beed for the offence punishable under Section 376 (2) (n), 363, 366-A, 34 of the Indian Penal Code, Section 4 and 6 of the Protection of Children from Sexual Offences Act and Section 3(2) (v), 3(2)(va), 3(1)(w)(i) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989, on the conditions that;

(a) The applicant shall not tamper with the prosecution witnesses.

(b) The applicant shall not enter Village Ridhori and Varola, Taluka Majalgaon, District Beed for four months from the date of his release.

(3)

(c) The applicant shall not contact the victim in any mode or manner till the conclusion of the trial.

(S.G. MEHARE, J.)

Mujaheed//