

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

54 BAIL APPLICATION NO.73 OF 2023

BABASAHEB VISHNU BAKAL
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Patil Ujwal Subhash.
APP for Respondents-State : Mr. S. B. Narwade.
Advocate for Respondent No.3 : Mr. Mundhe Vyankatesh
Ashruba, Mr. Shingne Aashish Narayanrao.
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CORAM : S. G. MEHARE, J.
DATE : 30.01.2023

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondents-State and learned counsel for respondent No.3/victim.

2. It appears that at the time of the alleged incident, the victim was around 17 years old. She herself went to studio with the applicant to have some photographs. The applicant kept those photographs on status in mobile phone and forwarded it to his friend. The allegations have also been levelled against the applicant that after registering the crime, he threatened the victim. The photographs placed on record reveal that the victim was voluntarily with him. There

appears possibility of apprehension of making her relationship public. The alleged mobile handset used by the applicant has been seized. The applicant has a case that he had love affair with the victim. But, due to the oppose from her family, a false case has been registered against him.

3. Considering the allegations levelled against the applicant, recovery of the mobile handset allegedly used to transmit her photographs to his friend and the material progress in the investigation, the Court is of the view that his further detention would serve no purpose. However, to guard the interest of the victim, certain conditions may be imposed. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **BABASAHEB VISHNU BAKAL** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.673 of 2022, registered by Police Station Bhokardan, District Jalna, for the offences punishable under Sections 354-D, 500, 504, 506

read with Section 34 of the IPC and Section 12 of POCSO Act, on the following conditions :

- (a) The applicant shall not enter the village where the victim is residing now and shall not enter Bhokardan where the victim is taking education for three (3) months from the date of his release.
- (b) He shall not tamper with the prosecution witnesses.
- (c) He shall not contact the victim or any other witnesses on phone or by any mode till the conclusion of the trial.

(S. G. MEHARE, J.)

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vmk/-