

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

33 BAIL APPLICATION NO.115 OF 2023

ARJUN JAGDISH BASER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Pankaj A. Bharat.
APP for Respondent-State : Mr. S. P. Sonpawale.
Advocate for Respondent No.2 : Ms. Bharti Gunjal – Appointed.

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CORAM : S. G. MEHARE, J.
DATE : 06.02.2023

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and the learned counsel for respondent No.2.

2. Perused the FIR and statement of the victim. In the statement of the victim, she did not make any specific allegations against the applicant. However, the Investigating Officer came with the case that the applicant was the middleman when the victim was with the accused. The applicant has a case that he has been arraigned as an accused only for the reason that the alleged marriage was performed in front of his house. He has no role to play in the alleged incident. Applicant is the resident of Madhya Pradesh. There

are no antecedents to his discredit. Considering the material against him, there is no propriety in keeping the applicant behind bars. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **ARJUN JAGDISH BASER** 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.850 of 2022, registered by Police Station Shevgaon, District Ahmednagar for the offences punishable under Sections 363, 376(2)(n), 366, 372, 373, 506 read with Section 34 of the IPC, Section 3, 4 and 8 of the POCSO Act and Section 9, 10, 11 of Prevention of Child Marriage Act and Section 3(1) (w)(i)(ii), 3(2)(va), 3(2)(5) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities Act) Act, on the following conditions :
 - (a) The applicant shall furnish his and his family members residential address with proof and mobile numbers.

- (b) He shall mark his attendance on telephone to the Police Station Shevgaon on each Thursday between 10.00 a.m. to 12.00 noon till the conclusion of the trial.
- (iii) The Secretary, High Court Legal Services, Sub-Committee, Aurangabad do pay the legal fees to advocate Ms. Gunjal as per the schedule.

(S. G. MEHARE, J.)

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vmk/-