

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

BAIL APPLICATION NO.116 OF 2023

**PAWAN BABASAHEB KHANDAGALE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Advocate for Applicants : Mr. Sonavane Narendra D.

APP for Respondents/State : Mr. S.P. Deshmukh

Advocate for Respondent No.3 : Mr. Parkshit Dawalkar (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 complainant.
2. The deceased was the cousin sister of the applicant. It has been alleged that she was pregnant from the applicant. At the time of the incident, she was carrying 28 weeks pregnancy. For the first time, she disclosed the sex done by the applicant with her when her pregnancy came to light. Immediately next day of her disclosure, she found dead. One insecticide bottle was lying beside her dead body. However, the provisional cause of death is cardiac respiratory arrest. She died in her house. The reason best known to the parents how they did not notice the pregnancy of 28 weeks. Therefore, the contention of the applicant that the family of the deceased hide her

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pregnancy appears probable. That apart, the DNA test is also inconclusive. These are the circumstances favourable to the applicant to get the bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The Applicant, Pawan Babasaheb Khandagale, 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.179 of 2022, registered with Veergaon Police Station, Taluka Vaijapur, District Aurangabad for the offence punishable under Section 306, 376 (2) (f), 376 (2) (j), 376 (2) (n), 506 of the Indian Penal Code and Section 4 and 6 of the Protection of Children from Sexual Offences Act, on the condition that he shall not tamper with the prosecution witnesses.

(S.G. MEHARE, J.)