

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.281 OF 2023

Rahul Walmik Ahire, Age 20 years,
Occu. Labour, R/o. Bohur Mehunbare,
Taluka Chalisgaon, District Jalgaon .. Applicant

Versus

1. The State of Maharashtra
2. XYZ .. Respondents

Mr. Joydeep Chatterji, Advocate for Applicant
Mr. S. P. Sonpawale, A.P.P. for respondent No.1/State
Mr. Suresh Rodge, Advocate appointed for respondent No.2

CORAM : S. G. MEHARE, J.

DATE : 01-03-2023

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for the respondent No.1/State and the learned counsel for respondent No.2/victim.

2. By this application, the applicant seeks bail in C.R.No.216 of 2022 registered with Mehunbare Police Station, District Jalgaon, for the offences punishable under Sections 363, 376, 376(2)(n), 2(j), 307, 506 of the Indian Penal Code and Sections 4, 3(a), 5(1)(r) and 6 of the Protection of Children From Sexual Offences Act, 2012.

3. The victim was familiar to him. They had love affair. However, on the day of the incident, the applicant forcefully took the victim with him under the threat that if she would not come with him, he would consume poison. The specific allegation against the applicant is that he did sex with her in sugarcane crop without her consent. On the next day morning, the applicant tried to administer poison to her. Though it has been argued that she had consumed the poisonous substance at her own, the circumstances do not support the applicant. Considering the serious allegations of forceful sex, an attempt to administer poison to the victim, the Court is of the view that this is not a fit case to grant bail. Hence, the application stands dismissed.

4. 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.

5. Needless to state that the observations are limited to this bail application.

(S. G. MEHARE)
JUDGE

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