

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

921 BAIL APPLICATION NO.364 OF 2023

BILAL CHAND SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicants : Mr. Harshal Prakash Randhir.
APP for Respondents-State : Mr. S. P. Sonpawale.
Adv. for Respondent No.3/informant : Mr. M. M. Deshmukh.
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CORAM : S. G. MEHARE, J.
DATE : 16.03.2023

PER COURT :-

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

2. The facts of the case reveals that the applicant and the victim were married. Out of their wed lock, they were blessed with a child. They were residing together. She has categorically stated in her statement before the learned Magistrate that she never had any complaint against her husband, but police came and took her signature over a paper, in which, a false allegations of her kidnapping were reduced into writing. The applicant never forced her to elope. She was 17 years old at the time of the alleged incident. It appears that the family had

filed her missing report and in pursuance thereof, the investigation was made. As she was below 18 years, the crime appears to have been registered. However, in the facts and circumstances of the case, the Court is of the view that it would be unjustifiable to keep him behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **BILAL CHAND SHAIKH** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.730 of 2020, registered by Police Station Newasa, District Ahmednagar, for the offences punishable under Sections 363, 366, 376(i)(j)(n) of the IPC and Sections 4, 6, 8, 12 of the POCSO Act.

(S. G. MEHARE, J.)

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vmk/-