

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

BAIL APPLICATION NO.398 OF 2023

AMOL ROHIDAS RATHOD

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Deshmukh Ashish P

APP for Respondent/State : Mr. K.S. Patil

Advocate for Respondent No.2 : Mr. Yogesh G. Birajdar

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CORAM : S.G. MEHARE, J.

DATED : MARCH 21, 2023

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the victim.
2. It is a case of love affair. The victim was more than 16 year old at the time of incident. Her statement reveals, her parents were opposing their relationship and proposed to marry her somewhere else; hence, she flee away with the applicant. She has stated that she had consensual sex with the applicant. It appears that they were intending to marry. The applicant never forced her for anything. The applicant is languishing in jail for sufficient time. The victim resides with her mother.
3. Considering the facts of the case and the statement of the victim, the Court is of the view that this is a fit case for bail. Hence, the following order is passed :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Amol Rohidas Rathod, 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.128 of 2022, registered with Bhokar Police Station, District Nanded for the offence punishable under Section 363, 3765(F)(i)(3) of the Indian Penal Code and Section 4 and 8 of the Protection of Children From Sexual Offences Act, 2012, on the conditions that he shall not tamper with the prosecution witnesses.
- (iii) The applicant shall not contact the victim till conclusion of the trial.

(S.G. MEHARE, J.)