

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

BAIL APPLICATION NO.449 OF 2023

DHONDIBA SOPANRAO SHRIRAME
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Jadhav Arvind Gangadhar
APP for Respondent No.1 : Mr. K. S. Patil
Advocate for respondent No.2 : Shriniwas Kulkarni
...

CORAM : S. G. MEHARE, J.

DATE : 30.03.2023

PER COURT :

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

2. The statement of the victim is very specific that out of love relation they got married. They were residing as husband and wife. However, she had some physical ailment. Hence, she was admitted to the hospital. In her statement she nowhere stated that any atrocities have been committed with her. First information report must have been lodged since she was admitted to the hospital for treatment as she was pregnant.

Prima facie it appears that victim and the applicant have no grievance

against each other. In the facts and circumstances of the case the applicant deserves bail. Hence, the following order

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Dhondiba Sopanrao Shrirame 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 19/2023 registered with Basmath Police Station (Rural), Taluka Basmath, District Hingoli for the offences punishable under Sections 376, 376(2) (I) of Indian Penal Code and under Section 3 and 4 of Protection of Children from Sexual Offences (POCSO) Act, 2012, on the following conditions :-
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) He shall attend the trial on each and every effective date.
- (iii) 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.

(S. G. MEHARE)
JUDGE

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