

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

14 BAIL APPLICATION NO.637 OF 2023

RAMJAN GULAB MULANI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Jadhav Satej S.
APP for Respondent-State : Mr. Y. G. Gujrathi.
Advocate for Respondent No.2 : Mr. Bharaswadkar
Raghavendra N. - Appointed.

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CORAM : S. G. MEHARE, J.
DATE : 10.07.2023

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and learned counsel for the complainant.
2. The applicant is seeking bail in Crime No.122 of 2022, registered with Latur Rural Police Station, District Latur, for the offences punishable under Sections 376(2)(N), 376(2)(L) of the IPC.
3. The applicant has been accused of the forcible sex with the victim. Recently, the DNA report is received and it is negative. In such circumstances, though the victim is mentally ill, the bail application may be considered, as the substantial evidence

of DNA does not support the prosecution. However, the interest of the victim may be protected by imposing certain conditions.

Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **RAMJAN GULAB MULANI** 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.122 of 2022, registered with Latur Rural Police Station, District Latur, for the offences punishable under Sections 376(2)(N), 376(2)(L) of the IPC, on the following conditions :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) He shall not contact the victim or any other witnesses till conclusion of the trial.
 - (c) He shall attend the trial on each effective date.
- (iii) The Secretary, High Court Legal Services, Sub-Committee, Aurangabad do pay the legal charges

to advocate Mr. Bharaswadkar appointed for respondent No.2, as per the schedule.

(S. G. MEHARE, J.)

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vmk/-