

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

BAIL APPLICATION NO.908 OF 2023

ADINATH DIPAK GODHARLEWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Shinde Dhananjay M.
APP for Respondent/State : Mr. Y.G. Gujarati
Advocate for Respondent No.2 : Ms. Sayali S. Tekale

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CORAM : S.G. MEHARE, J.

DATED : JUNE 27, 2023

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the respondent no.2/victim.
2. The applicant is seeking bail in Crime No.11 of 2023 registered with Himayatnagar Police Station, District Nanded for the offence punishable under Section 376(2)(j), 376(2)(n) of the Indian Penal Code and Section 4 and 6 of Protection of Children From Sexual Offences Act.
3. The victim was about 16 years at the time of the incident. She herself stated that she had love affair with the applicant. She knowingly had sexual relationship with the applicant but the FIR is silent what happened suddenly to lodge the report. In medical report, she narrated that the parents of the applicant were opposing their marriage. This may be the cause to lodge the report. Considering the

age of the victim, she appears to be able to take the appropriate decision. The family oppose is a ground to lodge the report as discussed above. Nothing is recovered from the applicant. Hence, he deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Adinath Dipak Godharlewar, 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 the above crime, 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.
- (iv) The applicant shall stay away from Taluka Himayatnagar District Nanded for one month from the date of his release.
- (v) The applicant shall attend the trial on each effective date.
- (vi) The Secretary, High Court Legal Services Sub-Committee, Aurangabad Bench do pay the fees of the appointed counsel for respondent no.2/victim as per schedule.

(S.G. MEHARE, J.)