

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

BAIL APPLICATION NO.924 OF 2023

RUSHIKESH PUNDLIK BHAWAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. R.N. Chavan h/f Mr. A.L. Muley
APP for Respondent/State : Mr. Y.G. Gujarati
Advocate for Respondent No.2 : Ms. Ranjita R. Barhate (Appointed
Through Legal Aid)

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CORAM : S.G. MEHARE, J.

DATED : JUNE 21, 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.169 of 2023 registered with Bidkin Police Station, District Aurangabad for the offence punishable under Section 354-D, 506 of Indian Penal Code and Section 11 and 12 of Protection of Children From Sexual Offences Act.
3. The FIR reveals that the victim and the applicant were talking on phone secretly. When the mother of the victim learnt, she asked her. The victim initially avoided to tell, then she was taken into confidence to know who was talking to her. Then she disclosed the name of the applicant. It is also alleged against the applicant that the

applicant and the victim girl were talking to each other for last two months. If this story is considered, it appears that the family of the victim had objection to their talking on phone and thereafter, the story has been developed that he was threatening her. Considering the story developed after some time, it appears a good case for bail. That apart, the applicant is languishing in jail since 10.05.2023. Nothing is to be recovered from him. However, the apprehension of the victim that the accused may threat her can be guarded by imposing certain conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Rushikesh Pundlik Bhawar, 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 or her relatives in any manner till conclusion of the trial.
- (iv) The applicant shall attend the concerned police station as and when called on written notice by the investigating officer, till filing the charge sheet.

(3)

(v) The applicant shall stay away from village Aurangpurwadi, Taluka Paithan, District Aurangabad for one month from the date of his release.

(vi) The Secretary, High Court Legal Services Sub-Committee, Aurangabad Bench do pay the fees of the appointed counsel for the respondent no.2/victim as per schedule.

(S.G. MEHARE, J.)