

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

BAIL APPLICATION NO.967 OF 2023

BHATU SOMA PISAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Desale Nilesh N.
APP for Respondent/State : Mr. K.S. Patil
Advocate for Respondent No.2 : Mr. Mangesh G. Patil

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CORAM : S.G. MEHARE, J.

DATED : JUNE 28, 2023

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for respondent no.2/victim.
2. The applicant is seeking bail in Crime No.140 of 2023 registered with Shirpur City Police Station, District Dhule for the offence punishable under Section 363, 376(2)(n)(i) of Indian Penal Code and Section 4, 8, 12 of Protection of Children From Sexual Offences Act.
3. The victim was allegedly 14 years and 5 months old at the time of the incident. She has given a contradictory statements. However, it reveals that they were residing together in one room and doing job at the same place. They were together for around 19 days. In those 19 days, she never tried to flee away. The possibility of pressurizing her to give the statement against the applicant cannot be

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ruled out. It seems a love affair. The applicant was around 20 years old at the time of the incident. The investigation has been completed. There are no antecedents to the discredit of the applicant. The trial may take its time. Hence, he deserve bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant, Bhatu Soma Pisal, 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 in any mode or manner till conclusion of the trial.

(S.G. MEHARE, J.)