

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

27 BAIL APPLICATION NO.1089 OF 2023

ASHOK BALI @ BALIRAM GHULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Doke Kishor R.
APP for Respondent-State : Mr. K. S. Patil.
Advocate for Respondent No.2 : Mr. Shinde R. A.

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CORAM : S. G. MEHARE, J.
DATE : 24.07.2023

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and learned counsel for the victim/ respondent No.2.
2. The applicant is seeking bail in Crime No.141 of 2023, registered with Bhoom Police Station, District Osmanabad, for the offences punishable under Section 376 of the IPC and Section 4 and 8 of the POCSO Act.
3. The applicant and the victim were the close relatives. The victim was more than 17 years at the time of alleged incident. They had love affair. However, due to the pregnancy, the dispute arose. The applicant did not deny the physical

relationship with her. The victim has also no serious allegations against the applicant as appeared from her affidavit. The material investigation has been completed. Considering the inter-se relationship between two families and admitted love affair, it would be inappropriate to keep the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **ASHOK BALI @ BALIRAM GHULE** 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.141 of 2023, registered with Bhoom Police Station, District Osmanabad, for the offences punishable under Section 376 of the IPC and Section 4 and 8 of the POCSO Act, on the following conditions :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) He shall not contact the victim or other witnesses till conclusion of the trial.

- (c) He shall attend the trial on each and every effective date.

(S. G. MEHARE, J.)

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vmk/-