

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.1106 OF 2023

KRUSHNA MURLIDHAR CHAUDHARY (HIRE)
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Harshal Prakash Randhir
APP for Respondent No.1/State : Mr. K. S. Patil
Advocate for Respondent No.2 : Mr. G. B. Patunkar (appointed)
...

CORAM : S. G. MEHARE, J.

DATE : 11-08-2023

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for the State and the learned counsel for the victim.
2. The applicant seeks bail in C.R.No.90 of 2012 registered with Bhadgaon Police Station, Taluka Bhadgaon, District Jalgaon, for the offences punishable under Sections 376(2)(j), 506 read with Section 34 of the Indian Penal Code and Sections 3(a) and 4 of the Protection of Children from Sexual Offences Act, 2012 read with Section 67 of the Information Technology Act.
3. The victim was above sixteen years at the time of the incident. The papers reveal that the victim was in love affair with the applicant. She voluntarily stayed with the applicant in one lodge. Perhaps, the family of the applicant did not like their

relationship. Hence, the possibility of making the allegations against the applicant by the victim cannot be ruled out. She was in advancing age and able to know the consequences of the acts, she was doing. The chargesheet has been filed. There are no antecedents against the applicant. It seems to be a love affair matter. Considering the facts in toto, the ability of the victim to take an appropriate decision and the possibility of pressurizing her by her family, it would be inappropriate to keep the applicant behind bars. Hence, the order:-

- i) The application is allowed.
- ii) Applicant Krushna Murlidhar Chaudhary (Hire) be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) He shall not tamper with the prosecution witnesses.
 - (b) He shall not contact with the victim and her relatives till conclusion of the trial.
 - (c) He shall not enter the village Bhadgaon, District Jalgaon, for two months from the date of his release.

**(S. G. MEHARE)
JUDGE**