

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

31 BAIL APPLICATION NO.1138 OF 2023

SAGAR S/O KAILAS PARDHI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Deshpande C.C., Mr. Dusane N.G.
APP for Respondent-State : Mr. Y. G. Gujrathi.
Advocate for Respondent No.2 : Mr. Gaikwad Satish A. -
Appointed.

...

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 appointed for respondent No.2.
2. The applicant is seeking bail in Crime No.93 of 2023, registered with Adawad Police Station, District Jalgaon, for the offences punishable under Sections 363, 366(A), 376(2)(i) of the IPC and Section 4(2), 8 and 12 of the POCSO Act.
3. Admittedly, it is the case of love affair. Specific statement of the victim is that she forced the applicant to elope with her. She has no grievance against the applicant. She has made a statement before the Sessions Court that she has no grievance

against the applicant, if he would have been released on bail. At the time of the alleged incident, the victim was about to 15 years old. Her conduct appears that she was well aware of the acts she was doing. The material investigation has been completed. Nothing is to be recovered from the applicant. So, it would be not in the interest of justice to keep the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **SAGAR S/O KAILAS PARDHI** be released on bail on furnishing PB. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount, in Crime No.93 of 2023, registered with Adawad Police Station, District Jalgaon, for the offences punishable under Sections 363, 366(A), 376(2)(i) of the IPC and Section 4(2), 8 and 12 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 her relatives till conclusion of the trial.
- (c) He shall attend the Police Station as and when called by the Investigating Officer on written notice till filing the charge sheet.
- (iii) The Secretary, High Court Legal Services, Sub-Committee, Aurangabad do pay the legal charges to learned counsel appointed for respondent No.2 as per the schedule.

(S. G. MEHARE, J.)

...

vmk/-