

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

**CRIMINAL APPLICATION NO.3800 OF 2022
IN BA/1166/2022**

RAHUL @ BANDU @ RAMESH NAMDEO PAWAR AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Mr. Salunke Sudarshan J
APP for Respondent/State : Mr. S.P. Deshmukh
Advocate for Respondent No.2 : Mr. A.V. Lavte

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CORAM : S.G. MEHARE, J.

DATED : FEBRUARY 20, 2023

PER COURT:-

1. Heard learned counsel for the applicants, learned APP for the State and learned counsel for the complainant.
2. Except the confidential information, the police has no cogent and concrete evidence that the applicants have breached the condition of bail not to enter the village Bankanaik Tanda.
3. Learned counsel for the complainant expressed an apprehension that 12th Std examinations of the victim are approaching. If the applicants would be allowed to enter the village, they may cause disturbance. Therefore, she may not be able to give her 12th Std examination peacefully. She is not residing with the parents as they have been gone to the sugarcane cutting in the State of Karnataka.

4. Learned counsel for the applicants states that till this date, the charges have not been framed and the trial has not been commenced. This Court granted the bail on the above condition to the applicants on 20.08.2022. The applicants are agriculturist. Since the trial would take its time to conclude, the application may be allowed. Hence, the following order :

ORDER

- I) The application is allowed.
- II) Clause no.(iv) of the operative order of order dated 20.08.2022 imposing condition not to enter village Bankanaik Tanda, Tq. Wadwani, District Beed until conclusion of the trial is relaxed.
- III) However, this order would come into effect after the examination of 12th Std of the victim is over.

(S.G. MEHARE, J.)