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

BAIL APPLICATION NO.1953 OF 2022

**BALAJI SHIVAJI GHULE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

Mr. Akshay S. Jagtap, Advocate, holding for Mr. Ankush N. Nagargoje,
Advocate for applicant;

Mr. K. S. Patil, A.P.P. for respondent No.1/State;

Mr. V. P. Golewar, Advocate (appointed) for respondent No.2

CORAM : S. G. MEHARE, J.

DATE : 3rd JANUARY, 2023

PC.

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1 and the learned counsel appointed for respondent No.2.

2. The statement of the victim under Section 164 of the Code of Criminal Procedure states nothing against the applicant. She had no complaint against anybody. The victim was above sixteen years at the time of the alleged incident. She is the prime witness to the incident. In view of her statement, it would be inappropriate to keep the applicant behind bar. Hence, the following order:-

- i) Application is allowed.
- ii) Applicant Balaji Shivaji Ghule be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of like

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amount in C.R.No.117 of 2022, registered with Police Station, Wadwani, Taluka Wadwani, District Beed, for the offence punishable under Sections 363, 366, 376(2)(n), 376(2)(f) of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, on the condition not to tamper with the prosecution witnesses.

- iii) The Secretary, High Court Legal Services Sub-Committee Aurangabad, do pay the fees to the learned counsel appointed for respondent No.2/victim, as per the schedule.

(S. G. MEHARE, J.)

amj