

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

925 BAIL APPLICATION NO.2045 OF 2022

MAROTI RAMESH MUSTARE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Jadhav Arvind Gangadhar

APP for Respondents: Mr. S. P Deshmukh

Advocate for respondent No.2 : Mr. Rajesh Mewara
(appointed Through Legal Aid)

...

**CORAM : S.G. MEHARE, J.
DATE : JANUARY 24,2023**

PER COURT :

1. Heard learned counsel for the applicant, learned A.P.P for the State and learned counsel for respondent No.2/victim.

2. The victim was 17 years old at the time of alleged incident. The victim had love affair with the applicant . They lived together for about one month and during that period she never resisted the applicant. It also appears that when her parents learnt about their love affair, they started searching groom for her. Therefore, she fled away with the applicant. They were living as husband and wife. She was of advanced age and it seems able to know the consequences of her acts. There are no complaints of torturing during her stay with the applicant. The charge sheet has been filed. In view of that matter, it would be inappropriate to

keep the applicant behind bar. Hence, the following order.

ORDER

- (i) The Bail Application is allowed.
- (ii) The applicant Maroti Ramesh Mustare, be released on bail on executing P.B. and S.B. of Rs. 50,000/- (Rupees fifty thousand) with one solvent surety in the like amount in Crime No. 149/2022 registered at Kurunda Police Station, Taluka Basmath, District Hingoli for the offence punishable under Sections 363,376(2)(n) 366(A) of Indian Penal Code and under Sections 4,8,12 of Protection of Children From Sexual Offences Act, 2012 on the conditions that :-
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall not contact the victim or her parents till the conclusion of the trial.
 - (c) The applicant shall not enter the village where the victim and her parents reside for one month from the date of his release.
- (iii) The Secretary, High Court Legal Services Sub-committee, Aurangabad do pay the fees to the counsel appointed for respondent No.2 as per schedule.

(S. G. MEHARE)
JUDGE