

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 446 OF 2022**

Khandu Namdev Kamble

...Applicant

Versus

The State of Maharashtra and anr.

...Respondents

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Mr. Tukaram Shende for the Applicant.
Ms. Rutuja Ambekar, APP for the State.
Ms. Shraddha Sawant for Respondent No. 2.

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CORAM : N.R. BORKAR, J.

DATED : 27 APRIL 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 773 of 2020 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 376, 376 (2) (n) of the Indian Penal Code and Sections 3, 4, 5, 5(J)(ii)(L), 6 of the Protection of Children from Sexual Offences Act, 2012.

3. According to the prosecution, the present applicant on several occasions committed forcible sexual intercourse with the victim on the pretext that he would be marrying her.

4. It appears that there was a love affair between the victim and the applicant. The applicant is in jail for more than two years. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 773 of 2020 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 376, 376 (2) (n) of the Indian Penal Code and Sections 3, 4, 5, 5(J)(ii)(L), 6 of the Protection of Children from Sexual Offences Act, 2012 on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)