

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 791 OF 2022

Sudhanshu @ Monu Dhirendra Malik ... Applicant

Versus

The State of Maharashtra and another ... Respondents

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Mr. Ashish Kachole alongwith Mr. Abhishek Arote, Mr. Vaibhav More and
Mr. Satyam Nimbalkar for the Applicant.

Ms. Rutuja Ambekar, APP for the State.

Mr. Omkar Chitale for Respondent No.2.

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CORAM : N.R. BORKAR, J.

DATED : 13 FEBRUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 101 of 2021
registered at Alandi Police Station, Pune for the offences punishable under
Sections 376, 506 of Indian Penal Code and Sections 4, 8, 12 of the
Protection of Children from Sexual Offences Act, 2012.

3. I have heard the learned Counsel for the applicant, the
learned APP for the State and the learned Counsel for the Respondent
No.2.

4. According to the prosecution, on the date of incident, which took place on 21 May 2022, the present applicant, who was residing in the neighbourhood of the victim, called her to his house on some false pretext and committed forcible sexual intercourse with her. The victim however, in her statement recorded under Section 164 of Cr.P.C. has not supported the prosecution. The applicant is in jail for about 1½ years. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. Hence, the following order is passed :

- (i) Application is allowed.
- (ii) The applicant - Sudhanshu @ Monu Dhirendra Malik be released on bail in Crime No. 101 of 2021 registered at Alandi Police Station, Pune for the offences punishable under Sections 376, 506 of Indian Penal Code and Sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)

KANCHAN
PRASHANT
DHURI

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by KANCHAN
PRASHANT
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