

3. The victim was allegedly kidnapped and subjected to sexual exploitation by accused No.1. The role attributed to the applicant – accused No.4 appears to be of providing a car to the applicant – accused No.1 in which the victim was allegedly kidnapped to Bidkin, Aurangabad.

4. The learned Counsel for the applicant submitted that apart from the role of providing a vehicle to accused No.1, there is no material to connect the applicant with the alleged offence.

5. I have perused the statement of the victim, who was then 16 years old and the statement of the first informant recorded under Section 164 of the Code of Criminal, 1973 (“the Code”). Both the victim and the first informant have made allegations primarily against accused No.1. The role attributed to the applicant is that of arranging a car.

6. In the statement of the victim recorded under Section 164 of the Code, the victim had stated that the applicant and his wife had also accompanied them to Bidkin, Aurangabad and thereafter they had returned to their village. Even if the prosecution case is taken at par, the allegations against the applicant would fall within the ambit of Section 363 and 366A of the Penal Code. No other role seems to have been

attributed to the applicant. In view of the above, the custodial interrogation of the applicant does not seem to be warranted.

7. The learned Counsel for the applicant further submitted that rest of the accused have been released on bail. Hence, I am inclined to exercise the discretion in favour of the applicant.

8. Hence, the following order:

: O R D E R :

- (i) In the event of arrest of the applicant in CR No.14 of 2022, registered with Wakad Police Station, Pune, he be released on bail on furnishing a PR Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.
- (ii) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.
- (iii) The applicant shall cooperate with the investigation and report to the Investigating Officer as and when directed.

- (iv) The applicant shall not contact the victim – first informant or any other person acquainted with the facts of the case.
- (v) The applicant shall provide his residential address and contact details including the cell-phone number to the Investigating Officer and intimate the change, if any.
- (vi) The applicant shall regularly attend the proceeding before the jurisdictional Court.
- (vii) It is clarified that these *prima facie* observations are confined to determine entitlement to pre-arrest bail only.

Application stands disposed.

[N. J. JAMADAR, J.]