

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**CRIMINAL APPELLATE JURISDICTION**  
**CRIMINAL BAIL APPLICATION NO. 2137 OF 2022**

Sachin Bhagyanarayan Shah ... Applicant

Versus

State of Maharashtra and another ... Respondents

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Mr. Santosh Bhatagunaki for the Applicant.

Mr. Amit Palkar, APP for the State.

Mr. Aayush Kedia instructed by Mr. H.s. Venegaonkar for Respondent No.2.

Mr. T.V. Dhotre for the Original Complainant-Respondent No.3.

.....

**CORAM : N.R. BORKAR, J.**

**DATED : 10 JANUARY 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. 79 of 2021 registered at Nani Daman Police Station, for the offence punishable under Sections 363, 376 of Indian Penal Code and Section 6 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 Respondent Nos.2 and 3, and perused the statement of prosecutrix/victim.

4. The statement of prosecutrix reads thus :

“..... On 6<sup>th</sup> September I went with one Sachin Shah whom I know since 2018. We were introduced to each other through Tiktok Video App. We become friends. Later on we had love affair.

Accordingly, on 6<sup>th</sup> September -- 2021 I left my home myself and went alongwith him. We went to Nepal and resided there for sometime. Later on we also resided at Bihar. We entered into marriage at Katmandu (Nepal) and resided as husband-wife. Whatever happened was done by both of us with our consent. I do not have any complaint against Sachin Shah.”

5. The victim appears to be 16 years old. Considering her statement, I am inclined to release the applicant on bail. Hence, the following order is passed :

(i) Application is allowed.

(ii) The applicant - Sachin Bhagyanarayan Shah be released on bail in Crime No. 79 of 2021 registered at Nani Daman Police Station, for the offence punishable under Sections 363, 376 of Indian Penal Code and Section 6 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  
DHURI  
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