



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO. 2156 OF 2023

KRUSHNAT BHAGWAN SHIBE ..APPLICANT
VS.
THE STATE OF MAHARASHTRA AND ANR. ..RESPONDENTS

Adv. Ganesh Bhujbal for the Applicant.

Adv. Nagesh Y. Chavan for Respondent No.2.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 07, 2023

P.C. :

- 1.** Mentioned out of turn.
- 2.** Heard learned counsel for the applicant, learned counsel for respondent No.2 and learned APP for the State.
- 3.** This is an application for bail in respect of the offence punishable under Sections 376(2)(n), 354-D of the Indian Penal Code, Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(w)(i) and (ii) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered on 03/03/2023 vide C.R. No.24 of 2023 with Dhebewadi Police

Station, Satara.

4. The applicant who is 27 years of age was in a love relationship with the victim who was 17 years of age at the relevant time.

5. The victim/respondent No.2 is personally present. Learned counsel for the victim submits that the victim who is now major does not want to prosecute the complaint. It is further submitted that she has no objection if the applicant is enlarged on bail. The victim has filed an affidavit which is taken on record.

6. In the facts and circumstances of the present case, considering that the applicant is in custody for more than 8 months with no possibility of trial concluding any time soon, the applicant can be enlarged on bail. There are no criminal antecedents reported against the applicant. The investigation is complete and the charge-sheet is filed. The applicant does not appear to be a flight risk. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Krushnat Bhagwan Shibe in connection with C.R. No.24 of 2023 registered with Dhebewadi Police Station shall be released on bail on his furnishing P.R. Bond of Rs.10,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 10,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(e) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(f) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

7. The application is disposed of.

(M. S. KARNIK, J.)