

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2568 OF 2022

Rohit Santosh Jadhav

...Applicant

Versus

The State of Maharashtra and anr.

...Respondents

.....

Mr. Pooja Agarwal for the Applicant.

Mr. Amit Palkar, APP for the State.

Mr. Yuvraj Dhole for the Respondent No. 2.

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CORAM : N.R. BORKAR, J.

DATED : 13 MARCH 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. 683 of 2020 registered at Khadakwasla Police Station, Pune City for the offences punishable under Sections 376(2)(j)(n), 363, 366 of the Indian Penal Code and Sections 4, 8, 12 of the Prevention of Children from Sexual Offences Act.

3. I have heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the respondent No. 2.

4. According to the prosecution, the present applicant had induced the victim to marry him though she was minor and thereafter committed forcible sexual intercourse with her.

5. I have perused the statement of the victim recorded under Section 164 of the Code of Criminal Procedure. It appears that victim had stayed with the applicant for about two years and then report came to be lodged. The applicant is in jail for about two 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 shall be released on bail in Crime No. 683 of 2020 registered at Khadakwasla Police Station, Pune City for the offences punishable under Sections 376(2)(j)(n), 363, 366 of the Indian Penal Code and Sections 4, 8, 12 of the Prevention of Children from Sexual Offences Act on furnishing PR bond in the sum of Rs. 15,000/- with one surety in the like amount.

(N.R. BORKAR, J.)