



Darshan Patil

17.ba.2765-23.odt

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

BAIL APPLICATION NO.2765 OF 2023

PRADIP VEERSING JADHAV

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Kuldeep Patil i/b Saili Dhuru for the applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 29, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail in respect of the offence punishable under Sections 376, 376(2)(f), 376(2)(n) and 323 of the Indian Penal Code (hereafter 'IPC' for short) registered on 03/06/2022 vide C.R. No.55 of 2022 with Kundal Police Station, District Sangli.

3. The applicant was arrested on 03/06/2022. The applicant and the victim at the relevant time were 20 years and 19 years of age respectively. The applicant and the victim are related to each other as cousins. A missing

person complaint has been lodged by the father of the victim. Learned counsel for the applicant submitted that the victim eloped with the applicant. Whereas it is the contention of the learned APP that taking advantage of the victim being 19 years of age the applicant induced her into staying with him and had forcible sexual relations with her.

4. *Prima facie*, it appears that the relationship between the applicant and the victim is consensual in nature. There are no criminal antecedents reported against the applicant. The applicant is in custody for more than 15 months with no possibility of trial concluding any time soon. Looking at the age of the applicant, I am inclined to enlarge the applicant on bail as the investigation is complete and the charge-sheet has been filed. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Pradip Veersing Jadhav in connection with C.R. No. 55 of 2022 registered with Kundal Police Station shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- 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) Except for the purpose of reporting to the Investigating Officer, the applicant shall not enter the jurisdiction of Kundal Police Station after being released on bail, till the trial concludes.

5. The application is disposed of.

(M. S. KARNIK, J.)