

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2945 OF 2022

Sandeep Raju Bhutke ...Applicant
V/s.
The State of Maharashtra and Anr. ...Respondents

Mr. Nitin Gaware Patil for the Applicant.
Ms. Veera Shinde, APP for the Respondent/State.
Ms. Meghna Gowalani for the Respondent No. 2.

CORAM : N.R. BORKAR, J.
DATE : 20.04.2023

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure (Cr.P.C.) for bail.
2. The applicant came to be arrested in Crime No. 101 of 2021 registered at Bhosari Police Station, Pune, for the offences punishable under Sections 366, 376(2)(i) and 506 of the Indian Penal Code (IPC) and Section 4 of the Protection of Children from Sexual Offences Act, 2012 (POCSO).
3. I have heard the learned counsel for the applicant, respondent no. 2 and the learned APP for the respondent - State.
4. According to the prosecution, on the date of incident, which took place on 27 January 2021, the present applicant, who was

residing in the neighbourhood of the victim had committed forcible sexual intercourse with her.

5. The victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she does not remember the alleged incident. The applicant is in jail for two years. Considering the facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 101 of 2021 registered at Bhosari Police Station, Pune, for the offences punishable under Sections 366, 376(2)(i) and 506 of the IPC and Section 4 of the POCSO Act, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

6. The Application stands disposed of in the aforesaid terms.

[N.R.BORKAR, J.]