

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3250 OF 2022**

Yuvraj Kisan Salunke

...Applicant

Versus

The State of Maharashtra and anr.

...Respondents

.....

Mr. Ramji Kotali a/w Mr. Umesh Gawali for the Applicant.

Mr. Amit Palkar, APP for the State.

Ms. Meghna Gowalani for Respondent No. 2.

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CORAM : N.R. BORKAR, J.

DATED : 27 APRIL 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. 132 of 2022 registered at Chikhali Police Station, Pimpri-Chinchwad for the offences punishable under Sections 376, 506 of the Indian Penal Code and Sections 3, 4, 7, 8 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 respondent-State and the learned counsel for respondent No. 2.

4. The applicant and the victims were neighbours. According to the prosecution, on the date of incident, which took place on 24 March 2022,

the present applicant accosted the victim while she was returning home, made her to sit in his auto rickshaw and took her to lodge at Nigdi, Pune and there committed forcible sexual intercourse with her.

5. I have perused statement of the victim. Prima facie, the alleged act appears to be consensual. The applicant is in jail for more than one year. Considering the overall facts and circumstances of the case, 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. 132 of 2022 registered at Chikhali Police Station, Pimpri-Chinchwad for the offences punishable under Sections 376, 506 of the Indian Penal Code and Sections 3, 4, 7, 8 of the Protection of Children from Sexual Offences Act, 2012 on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.

(N.R. BORKAR, J.)