

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3514 OF 2022

Ravi Nanuram Mansure

... Applicant

V/s.

State of Maharashtra and Anr.

... Respondents

.....
Mr. Narayan G. Rokade a/w. Mr. Ajinkya V. Taskar, Advocate for Applicant.

Mr. Y. Y. Dabke, APP for Respondent-State.

Mr. Manas Gawankar, Advocate for Respondent No.2.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 30th AUGUST 2023

P. C:-

1. By this Application, Applicant is praying for bail in C.R.No. 106 of 2022 registered at Ozar Police Station, Nashik for the offences punishable under Sections 363, 366-A, 370, 370-A, 372, 373, 354(a) read with 34 of Indian Penal Code (for short "IPC") and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act").

2. It is prosecution case that victim girl was abducted from the custody of their parents and taken to Madhya Pradesh where victim

was compelled to marry with Applicant. On the basis of complaint of victim, Police registered offence against co-accused and Applicant.

3. It is the contention of learned Counsel for the Applicant that, victim was taken out by co-accused from her house. At the time of performing marriage with her, Applicant was not aware whether victim was abducted. After marriage, victim stayed in house of Applicant, but he has not committed any sexual act with her. Applicant has falsely implicated in this case. He is behind the bar for more than one year. Hence, requested to allow the Application.

4. It is the contention of learned APP that victim was abducted from her house by co-accused and she was taken to the house of Applicant where Applicant performed marriage with her. Applicant was aware that victim was minor in spite of that, Applicant married with her. Applicant had outraged her modesty. There is *prima facie* case against Applicant. Hence, requested to reject the Application.

5. Learned Counsel for the Respondent No.2 reiterates the submission of learned APP.

6. I have heard learned Counsel of all parties.

7. Perused FIR and chargesheet. The allegations against the Applicant are that when the victim was taken to house of Applicant by

co-accused, Applicant performed marriage with her. It appears from record that, when victim was in the house of Applicant, it is alleged that, he has outraged her modesty. Applicant is behind bar for more than one year. Considering all these facts, I am inclined to allow Application.

8. In view of the above, I pass following Order :-

- (i) Applicant be enlarged on bail in C.R.No. 106 of 2022 registered with Ozar Police Station, on executing P.R.Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) Applicant shall attend the concerned Police Station once in a month i.e. on first Monday of the month between 11.00 a.m. to 3.00 p.m. till framing of charge.
- (iii) Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (iv) Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

9. The Application is allowed in the aforesaid terms and is accordingly disposed off.

10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

SONALI
SATISH
KILAJE

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by SONALI
SATISH KILAJE
Date: 2023.09.04
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