



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH AT NAGPUR**

**CRIMINAL APPLICATION [BA] NO.774 OF 2023**

Sheikh Razik Sheikh Mohammad

..Vrs.

State of Maharashtra and one

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Office Notes, Office Memoranda of Coram,  
appearances, Court's orders of directions  
and Registrar's orders

Court's or Judge's orders

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Shri Kamal H. Anandani, Advocate a/w Shri Bhavin Suchak, Advocate for Applicant,  
Ms. M.A. Barabde, APP for Non-Applicant No.1-State,  
Ms. Parita N. Lakhani, Advocate for Non-Applicant No.2.

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**CORAM : M.W. CHANDWANI, J.**

**DATE : 03/10/2023.**

The applicant is seeking bail in connection with Crime No.155/2023 registered with Police Station, Mangrulpur, District-Washim for the offence punishable under Sections 376, 376 (2) (n) of the Indian Penal Code, read with Sections 4, 5 (J)(2), 5(L) and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. Heard the learned counsel for the applicant, learned Additional Public Prosecutor for non-applicant no.1-State and the learned counsel for non-applicant no.2-victim. Gone through the chargesheet.

3. Case diary transpires that the mother of the victim-girl has lodged the complaint that her victim-girl is residing with the applicant since last six months. In spite of calling her back, she told her that the applicant will marry with her and she loves him. However, on 15.02.2023 the victim-girl was told by the applicant that he will not marry with her, therefore, she was sent back to the

house of her mother. At that time, she was having pregnancy of four months. Therefore, on the complaint of mother of the victim, the aforesaid offence came to be registered against the applicant. It is to be noted that the victim-girl, in the meantime, has delivered a child.

4. It appears that the victim-girl was in relationship with the applicant, at that time, she was aged about 15 years and the applicant is also teenager. The victim was able to understand the consequences of sexual intercourse. She resided with the applicant for quite sometime in his house. No doubt, she was the minor. Considering her age, she was able to understand the things. In reply also the victim-girl has stated that now she is again residing in the house of the applicant with his mother. Further, it is stated in the reply that the applicant is going to marry with her. Rather, now victim wants the applicant be released on bail. The investigation is completed and charge-sheet is already filed. There is no likelihood that the applicant will flee away from justice.

5. Considering the above submissions, a case is made out for grant of bail. Hence the order :

- (i) The application is allowed.
- (ii) The applicant shall be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the trial court on each and every date, except exempted.

(M.W. Chandwani, J.)