



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

6 BAIL APPLICATION NO. 176 OF 2024

1. Kalabai Pandurang More
2. Kacharu Bhima Barde

..APPLICANTS

-VERSUS-

The State of Maharashtra

..RESPONDENT

Advocate for Applicants : Mr. Jadhav Arvind Gangadhar
APP for Respondent/State : Mr.Mukesh K. Goyanka

....
CORAM : SANJAY A. DESHMUKH, J.
DATED : 4th MARCH, 2024.

PER COURT :-

1. The applicants are seeking bail under section 439 of the Criminal Procedure Code, 1973 (for short, "Cr.P.C."). The applicants have been arrested in connection with crime No.597 of 2023 registered with Gangapur Police Station, Tq.Gangapur, Dist. Aurangabad, for the offences punishable under Sections 363, 366-A of the Indian Penal Code.

2. It is averred in the report and statements of the witnesses that the applicant enticed over the daughter of informant, who is 17 years and 9 months old for performing her marriage with one Mayur Bhise. When this fact was revealed to the daughter of the informant she opposed that. Meanwhile, the said crime was

registered. Thereafter, the applicants are arrested.

3. The learned advocate for the applicants submitted that the applicants have no criminal antecedents. Practical investigation is over. Trial will take long period. The applicants have roots in the society and they will not flee away from the trial. It is lastly prayed to grant bail.

4. The learned APP for the State strongly opposed the application and submitted that the applicants are involved in the serious crime. The applicants having enticed away the daughter of the informant in order to sell her. However, she refused to perform the marriage with one Mayur Bhise when this said fact was revealed and thereafter the applicants are arrested. The learned APP further pointed out the statements of the witnesses showing involvement of the accused in this crime. It is lastly prayed to reject the application.

5. Perused the charge-sheet, particularly report and statements of the witnesses. Now the practical investigation is over. Therefore, without adverting into the merit and the fact that the applicants have roots in the society, they will not flee away from the trial and trial will take long period, the application deserves to be allowed on certain stringent conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicants in connection with crime No.597 of 2023 registered with Gangapur Police Station, Tq.Gangapur, Dist. Aurangabad, for the offences punishable under Sections 363, 366-A of the Indian Penal Code, be released on bail on furnishing personal bond of Rs.25,000/- each with one surety of the like amount by each of them on following conditions:-
 - a) The applicants shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - b) The applicants shall not enter into village Haibatpur, Tq.Gangapur, Dist. Aurangabad till the conclusion of the trial.

(SANJAY A. DESHMUKH, J.)

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