



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

BAIL APPLICATION NO. 405 OF 2024

NITIN GULAB MORE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Sunil B. Surse
APP for Respondent No.1 : Mrs. P. R. Bharaswadkar
Advocate for Respondent No.2 : Ms. Pooja K. Apache (Appointed)

...

CORAM : S. G. MEHARE, J.

DATE : 16-07-2024

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1 and the learned counsel for respondent No.2.
2. The applicant seeks bail in C.R.No.53 of 2023 registered with Police Station Vaijapur, District Aurangabad for the offences punishable under Sections 376(1), 376(2)(F), 363 of the Indian Penal Code and Sections 4, 6 and 8 of the Protection of Children from Sexual Offences Act, 2012.
3. The statement of the victim is self speaking. It reveals that he was not intending to take her away. On the contrary, she told the applicant that her family members learnt about their love affair and they should elope. She herself went away with the

applicant. Though the allegations have been made about sexual relationship, her hymen was intact. The victim was 13 plus.

4. For the above reasons, the applicant deserves bail, though strongly opposed by the learned A.P.P. and the learned counsel for the victim. Hence, the order :-

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Nitin Gulab More be released on bail on furnishing P.B. and S.B. of Rs.50,000/- with one solvent surety of like amount on the conditions that,
 - (a) He shall not tamper with the prosecution witnesses.
 - (b) He shall not contact the victim till the trial is concluded.
- (iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad, do pay the fees to the learned counsel appointed for respondent No.2/victim, as per the schedule.

**(S. G. MEHARE)
JUDGE**

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