

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 623 OF 2024

Ankush Ramkishan Rajbhar

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Niraj Chudiwal h/f Mr. Jadhav Satej S

APP for Respondent/State : Mrs. D.S. Jape

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CORAM : S.G. MEHARE, J.

DATED : JULY 04, 2024

PER COURT:-

1. Learned counsel Ms. Rakshanda Jaiswal has instructions to appear for respondent no.2/victim.
2. Heard the respective counsels.
3. The applicant seeks bail in Crime No.756 of 2023 registered with CIDCO Police Station, District Aurangabad for the offence punishable under Sections 376, 376(3), 452, 341, 354-A, 354-B of the Indian Penal Code and under Sections 4, 6, 7 and 8 of the Protection of Children From Sexual Offences Act, 2012.
3. The allegations of forceful sex were levelled against the applicant. Hence, the crime was registered. Now the victim with her mother appeared before the Court. The victim is now 17 years old old. She filed an affidavit stating that she had an affair with the applicant and they were intending to marry but due to her minority,

they could not marry. She wish to marry the applicant after attaining the majority.

4. The question before this Court is whether the detention of the applicant would serve the purpose. It seems that the victim has taken the conscious decision in consultation with her mother. The victim was of the age able to take appropriate decision and know the consequences of the act she was doing. Both are from poor strata of the society. Therefore, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Ankush Ramkishan Rajbhar, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not tamper with the prosecution witnesses and shall attend the trial on each and every date.
 - (b) The applicant shall not threat the victim.

(S.G. MEHARE, J.)