



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

46 BAIL APPLICATION NO. 746 OF 2024

PRADIP KARBHARI WAGHMODE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Shekade Shashikant E.

APP for Respondent/s-State : Mr. S. B. Narwade.

Advocate for Respondent No.2 to assist APP : Mr. Ashutosh
Kulkarni (appointed Through Legal Aid).

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CORAM : S. G. MEHARE, J.

DATE : 29.07.2024

PER COURT :-

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and learned counsel for the victim/respondent No.2.

2. The applicant seeks bail in Crime No.1141 of 2023, registered with Shevgaon Police Station, District Ahmednagar, for the offences punishable under Sections 354-A, 354-C, 354-D, 376(2)(N), 506 of the IPC and Sections 8 and 12 of the POCSO Act.

3. From the allegations, it reveals that under the threat of viraling the obscene photographs of the major victim, the applicant did forceful sex with her. It has also been alleged

against the applicant that the applicant had an ill eye on the daughter of the major victim. He was asking the victim to marry her daughter to him. The daughter, who is a minor also gave a statement against the applicant that he was following her and asking her to marry him. The main allegation against the applicant that under the threat of making the photographs viral from his mobile, the applicant did forceful sex with the major victim. However, the prosecution has no case that he had viral the photographs and till date no evidence to that effect has been collected. The applicant is languishing in jail for eight months. Charge sheet has been filed. Trial may take its time. Therefore, he deserves bail on certain conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **PRADIP KARBHARI WAGHMODE** be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, on the following conditions :
 - (a) He shall not tamper with the prosecution witnesses.

- (b) He shall not contact the victim in any mode or manner till the trial is concluded.
 - (c) He shall stay away from village Bhatkudgaon for four months from the date of his release.
 - (d) He shall attend the trial on each and every date.
- (iii) The Secretary, High Court Legal Services, Sub-Committee, Aurangabad do pay the legal fees to advocate Mr. Kulkarni as per the schedule.

(S. G. MEHARE, J.)

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vmk/-