



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

934 BAIL APPLICATION NO. 882 OF 2024
AND
935 BAIL APPLICATION NO. 884 OF 2024

AWEZ NISAR SHAIKH
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. Yogesh Bolkar holding for
Mr. Parth S. Salunke

APP for Respondent No.1 : Mr. D. J. Patil
Advocate for Respondent No.2 : Mr. Nitin S. Salunke

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CORAM : S. G. MEHARE, J.
DATE : 01-08-2024

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 (i) C.R.No. 822 of 2023 registered with Rahuri Police Station, District Ahmednagar, for the offences punishable under Sections 354, 354D, 109 read with Section 34 of the Indian Penal Code and Sections 8 and 12 of the Protection Of Children from Sexual Offences Act, and (ii) C.R.Nos. 818 of 2023 registered with Rahuri Police Station, District Ahmednagar, for the offences punishable under Sections 354D, 506 read with Section 34 of the Indian Penal Code and Section 12 of the Protection Of Children from Sexual Offences Act and Section 66(C) of the Information Technology Act.

3. The applicant seeks bail on the ground that he has been falsely implicated in the crimes. The victims have attraction towards him. However, their families were opposing them. Before registering the crimes, the relatives of the victims assaulted the applicant. The applicant has a good future. He undertakes not to indulge in the similar crime in future. He is languishing in jail since November 2023. The investigation has been completed. His detention is fruitless. Hence, he may be granted bail.

4. Learned APP for the State and the learned counsel for the victim vehemently argued that applicant is involved in the similar crimes. He trap the girls under the pretext of love and then force them to convert religion. He is harmful to the society since he is involved in the similar crimes. He may not be granted bail.

5. Perused the applications.

6. There are allegations and counter allegations against each other. However, the victims appear not interested in the applicant. While considering bail application, the Court has to examine the scope for speedy trial, the age of the applicant and the purpose of his detention. The trial may not be concluded within reasonable period. He is a young boy and nothing is to be recovered from him. Hence, on certain conditions, he may be granted bail. Hence, the order:-

ORDER

- i) Bail Applications are allowed.
- ii) Applicant - Aweez Nisar Shaikh be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crimes for the aforesaid offences, on the conditions that,
 - (a) He shall not contact the victims in any mode or manner till the trials are concluded.
 - (b) He shall not enter Taluka Rahuri, District Ahmednagar till the trial is concluded, except for attending the trial before the Sessions Court at Ahmednagar.
 - (c) He shall not indulge in the similar crime.
 - (d) He should stop trapping young girls under the pretext of love with intention to convert their religion in his life.
 - (e) He shall attend the trial on each and every effective date.

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