



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

936 BAIL APPLICATION NO.887 OF 2024

Ganesh Shivaji Madiyal (Madiwal),  
Age-28 years, Occu:Private Service,  
R/o-C/o- Gokhale Jaibhavani Nagar,  
District-Ch. Sambhaji Nagar,  
Permanent address: At Chincholi,  
Taluka-Nilanga, Dist-Latur.

...APPLICANT

VERSUS

1) The State of Maharashtra,  
Through Police Inspector,  
Mukundwadi Police Station,  
Chhatrapati Sambhajinagar,

2) X Y Z

...RESPONDENTS

...  
Mr. Chaitanya C. Deshpande Advocate h/f. Mr. P.G. Tambade  
Advocate for Applicant.  
Ms. P.J. Bharad, A.P.P. for Respondent No.1-State.  
Mr. Gajendra Jain Advocate for Respondent No.2.  
...

CORAM: S.G. MEHARE, J.

DATE : 25<sup>th</sup> JUNE, 2024

ORDER :

1. Heard learned counsel for the applicant, learned APP for  
the State and learned counsel for the victim.

2. Applicant seeks bail in Crime No.0193 of 2024 registered with Mukundwadi Police Station, District-Aurangabad for the offence punishable under Sections 354, 354(b), 452, 506 of the Indian Penal Code with Section 8 of the Protection of Children from Sexual Offences Act.

3. The applicant has a case of false implication, as against it the prosecution and victim has a case that the applicant has committed serious offence. Applicant was offering gift to the victim. She was about 12 years old and she was threatened. Threat is an acceptable cause for delay in lodging the report.

4. The learned counsel for the applicant would submit that friends of the applicant were tenants in the house of the grand father of the victim. They had dispute. There was serious quarrel between them on 7<sup>th</sup> May 2024 and the report was lodged at the instance of the wife of the applicant against the relatives of the victim. Hence to counter it a false report has been lodged against the applicant.

5. Perused the papers. There seems to be report against

report. Sufficient delay was caused in lodging the First Information Report. Considering the allegations, nothing is to be recovered from the applicant. Applicant is residing at some distance from the place of residence of the victim. Since the custodial interrogation is not essential and as there was quarrel between two families, it will not be appropriate to keep the applicant behind the bars. Hence the following order:-

### **ORDER**

(I) Bail Application is allowed.

(II) The applicant – Ganesh Shivaji Mandiyal (Mandiwal) 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 condition that :-

(a) The applicant shall not contact the victim and her family members in any manner till the conclusion of the trial.

(b) Applicant shall not enter the lane where the victim and her family resides.

(c) Applicant shall not give threats the witnesses.

(d) Applicant shall co-operate with the investigation and attend the police station as and when called by the investigating officer, on written notice, till filing of the charge-sheet.

(e) After filing of the charge-sheet, applicant shall attend the trial on each and every effective date.

[ S.G. MEHARE , J. ]