

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 936 OF 2024

Pankaj Gorakh Patil

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. S.P. Tiwari h/f Mr. Arvind Keshavlal
Tiwari

APP for Respondent/State : Mr. S.R. Wakale

Advocate for Respondent No.2 : Mr. Choudhari Deepak D.

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CORAM : S.G. MEHARE, J.

DATED : JULY 04, 2024

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for the victim.
2. The applicant seeks bail in Crime No.166 of 2023 registered with Kasoda Police Station, District Jalgaon for the offence punishable under Sections 363, 376(3) of the Indian Penal Code, Sections 3(1)(w)(i), 3(1)(w)(ii) of the Scheduled Castes and Schedules Tribes (Prevention of Atrocities) Act, 1989 and under Sections 4 and 8 of the Protection of Children From Sexual Offences Act, 2012.
3. Though the allegations have been levelled against the applicant that he did forceful sex with the victim, her statement is material. Her statement reveals that she left her home as her parents were troubling her. The applicant was asking her again and again to

go home but she did not go. When he boarded in the bus, she also boarded in the same bus. Lastly, they were found together. She had refused to go for the medical examination. The statement of the victim is sufficient to consider the way in which the incident happened. It creates a doubt about the sexual assault. The investigation has been completed. Hence, there is no propriety in keeping the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Pankaj Gorakh Patil, 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 contact the victim till conclusion of the trial.

(S.G. MEHARE, J.)