

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1011 OF 2024

Vishal Prakash Ingale

VERSUS

The State Of Maharashtra And Another

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Advocate for Applicant : Mr. Wakale Vijay Shivaji

APP for Respondent/State : Ms. V.S. Choudhari

Advocate for Respondent No.2 : Mr. Vishal Sable

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CORAM : S.G. MEHARE, J.

DATED : AUGUST 08, 2024

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel for respondent no.2/victim.
2. The applicant seeks bail in Crime No.688 of 2023 registered with Cantonment (Chavani) Police Station, District Aurangabad for the offence punishable under Sections 376(2)(f) of the Indian Penal Code and Sections 4 and 6 of Protection of Children From Sexual Offences, Act.
3. The applicant has a theory of love affair with the victim who was around 16 years. They had developed relationship. However, some difference of opinion arose and she fall prey to her parents. Now, the victim has realized her mistake. She had sworn in an affidavit contending that it was her consensus relationship with applicant. She has no grievance against the applicant.

4. Learned APP has strongly opposed the application. She would submit that the victim was a girl and she has been sexually assaulted. Considering the gravity of the offence, bail may not be granted.

5. Perused the papers. There appears some misunderstanding with the victim. It also appears that they were in relationship. The applicant might have believed her date of birth on Aadhar Card. It shows that at the relevant time, she was major. Be that as it may, the applicant is a labour. No purpose would be served by keeping the applicant behind bar. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Vishal Prakash Ingale, be released on bail on furnishing PB. 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.

(S.G. MEHARE, J.)