



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

954 BAIL APPLICATION NO. 1368 OF 2024

Rushikesh Uttam TribhuvanApplicant

VERSUS

The State of Maharashtra & anotherRespondents

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Mr. S. G. Bobade, Advocate for Applicant.

Mr. S.B. Pulkundwar, APP for the State.

CORAM : S. G. MEHARE, J.

DATE : 3rd SEPTEMBER, 2024.

PER COURT :

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. 0113/2024 registered with Virgaon Police Station, District Aurangabad for the offences punishable under Sections 363, 376, 376(2)(N), 376(3), 504, 506 read with Section 34 of Indian Penal Code and Sections 4, 6, 8 and 12 of Protection of Children from Sexual Offences Act.

3. The victim was around 16 years at the time of the incident. Investigation papers show that she was knowing the

applicant well. They were meeting at different places. She went away from home with the applicant. Both were apprehended together in Kasara Ghat and brought to the house. However, there is material contradiction in her statements recorded under Sections 161 and 164 of the Code of Criminal Procedure. It could be gathered from the material that she was voluntarily maintaining relationship with the applicant. Probably, she may have pressure of her close relatives. The story of blackmailing her on the basis obscene photographs appears afterthought. That apart, charge-sheet has been filed. Applicant is a young boy of eighteen. He has a defence of love affair. In the circumstances, no purpose would be served to keep him behind the bar. Hence, the following order :-

ORDER

- i) Application is allowed.
- ii) Applicant be released on bail on furnishing P.B. and S.B. of Rs. 50,000/- (Rs. Fifty Thousand only) with one solvent surety of the like amount, in connection with Crime No. 0113/2024 for the above offences, on the following conditions :-
 - (a) He should not contact the victim till conclusion of the trial.

(b) He shall not enter village Chinchadgaon, Tq. Vaijapur, dist. Aurangabad till conclusion of the trial.

(c) He shall attend the trial on each and every date.

(S. G. MEHARE)
Judge

dyb