



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

BAIL APPLICATION NO. 1659 OF 2024

MONU KISHORILAL RAJPUT

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Surse Sunil B.

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

Advocate for Respondent no.2 : Ms.Renuka Ghule Palve (Appointed
Through Legal Aid)

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CORAM : S. G. MEHARE, J.

DATE : 3rd October, 2024.

P.C.:

1. The victim with her father appeared. They seek legal assistance. The Secretary, High Court Legal Services Sub-Committee, Aurangabad is requested to appoint a lawyer from the panel to represent the victim. Learned counsel for the applicant to provide the copies to the learned appointed counsel.
2. Heard the learned counsel for the applicant, the learned APP for the respondent/State and the learned counsel for the victim.
3. The applicant seeks bail in Crime No.56 of 2024 registered with Police Station, Gangapur, for the offences punishable under sections 376, 376(2)(N), 376(3), 366-A, 363, 109 of the Indian Penal Code and sections 4, 6 and 17 of the Protection of Children from Sexual Offences Act.
4. At the time of incident, the victim was 17 plus. The applicant had a case that he and victim had affair. However, due to pressure she had

lodged a report against the applicant. The applicant and victim are distant relatives. They were residing in the same locality. They hail from the State of Uttar Pradesh. They came to Maharashtra for labour and livelihood. The victim appeared through her father. They instructed the learned counsel appointed for her that the victim was able to take conscious decision about her. They have realized their mistakes. So if the bail is granted, she has no objection.

5. It appears from the submissions of the learned counsel for the applicant that it was a love affair. The applicant is behind bars for sufficient time. Investigation has been completed and the charge-sheet is filed. It seems that the parties are from the poor strata of the society. The victim is went back to her State. She came from Uttar Pradesh to this Court, and made the statement through her lawyer. Hence, the order:

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant Monu Kishorlilal Rajput be released on bail Crime No.56 of 2024 registered with Police Station, Gangapur, for the offences punishable under sections 376, 376(2)(N), 376(3), 366-A, 363, 109 of the Indian Penal Code and sections 4, 6 and 17 of the Protection of Children from Sexual Offences Act on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, on the

following conditions :

- (a) He should not tamper with the prosecution witnesses.
- (b) He should not contact the victim or her family members in any mode or manner, till the trial is concluded.
- (c) Since the victim is residing at State of Uttar Pradesh, it would be cumbersome further to spend money to attend the trial. The trial Court should use the technology and her evidence may be recorded through video conferencing wherever possible.
- (iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad, do pay the fees to the learned counsel appointed for respondent No.2/victim, as per the schedule

(S.G. MEHARE, J.)

sga