



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1756 OF 2024

RADHAKISHAN BHAURAO UDHAVANT
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Vithal M. Jadhav
APP for Respondent No.1 : Mr. S. P. Sonpawale
Advocate for Respondent No.2 : Mr. C. V. Thombre
(Appointed Through Legal Aid)
...

CORAM : S. G. MEHARE, J.
DATE : 24-10-2024

PER COURT :-

1. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1 and the learned counsel for respondent No.2.
2. The applicant seeks bail in C.R.No.279 of 2024 registered with Police Station Nanalpeth, Parbhani, for the offences punishable under Sections 376, 376(2)(f), 376(2)(N), 376(3), 506 of the Indian Penal Code and Sections 4, 6, 8 and 10 of the Protection of Children from Sexual Offences Act.
3. It has been alleged against the applicant that he did forceful sex with the victim of nine years old. The medical officer has reserved the opinion till the chemical analysis report is received.

4. The learned A.P.P. has submitted that the C.A. report does not support the serious allegation of forceful sex. The C.A. report is taken on record. In the circumstances, though the victim is minor, it would inappropriate to keep the applicant behind bar. Hence, the order:-

ORDER

- i) The application is allowed.
- ii) Applicant – Radhakishan Bhaurao Udhavant be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) He should not tamper with the prosecution witnesses.
 - (b) He should not contact the victim or other witnesses till the trial is concluded.
 - (c) He should attend the trial on each and every effective date.
- iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad, do pay the fee to the learned counsel appointed for respondent No.2/victim, as per the schedule.

**(S. G. MEHARE)
JUDGE**