

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1775 OF 2024

Amol Yadav Redes

VERSUS

The State Of Maharashtra And Another

...

Advocate for Applicant : Mr. Muneshwar G.K.

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

Advocate for Respondent No.2 : Ms. Sangita Hiralal Desarda

(Appointed Through Legal Aid)

...

CORAM : S.G. MEHARE, J.

DATED : OCTOBER 25, 2024

PER COURT:-

1. Heard learned counsel for the applicant, learned APP for the State and learned counsel appointed for victim.
2. The applicant seeks bail in Crime No.368 of 2024 registered with Nanded Rural Police Station, District Nanded for the offences punishable under Sections 376, 376(2)(n), 506 of the Indian Penal Code, Sections 4, 6, 8 and 12 of the Protection of Children From Sexual Offences Act and Sections 3(1)(w)(i)(ii), 3(2)(va) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act.
3. The victim had lodged the report alleging against the applicant that he was forcefully doing sex with her when she was residing at Biloli with her maternal aunt. After leaving Biloli, the

applicant was visiting her place and doing sex with her when nobody was in her house. However, in the month of May-2024, she had pain in her chest, therefore, she was taken to the hospital. After her medical examination, it was transpired that she was pregnant. So, initially she has levelled the allegations of forceful sex and causing her pregnant due to the acts of the applicant. But suddenly, she has changed the version and alleged that after December-2023, she and the applicant had a quarrel. Hence, their relationship was broken. However, another co-accused who was knowing about their relationship, blackmailed her and did forceful sex against her will when she was pregnant. Considering these two versions, it appears that her relationship with the applicant was consensus though allegations were levelled against him. The crime has been thoroughly investigated. The necessary evidence is collected. Considering the two contradictory statements of the victim and the period of alleged sex, the Court is of the view that his detention would serve no purpose. They are residing at two different places. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Amol Yadav Redes, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees

(3)

Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that ;

(a) The applicant should not tamper with the prosecution witnesses and should attend the trial on each and every effective date.

(b) The applicant should not contact the victim till the trial is concluded.

(iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad is directed to pay the fees to the appointed counsel for the victim as per schedule.

(S.G. MEHARE, J.)