



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

957 BAIL APPLICATION NO. 1857 OF 2024

MANGESH BABULAL PALHATE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Ms.Pooja Kishor Apache h/f Mr.Surse Sunil B.

APP for Respondent/State : Mr.A.S. Shinde

Advocate for Respondent no.2 : Ms. Sayali Tekale (Appointed Through
Legal Aid)

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CORAM : S. G. MEHARE, J.

DATE : 25th October, 2024.

P.C.:

1. Heard the learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the victim.
2. The applicant seeks bail in Crime No.123 of 2024 registered with Daulatabad Police Station, Chhatrapati Sambhajinagar, for the offences punishable under sections 363, 354(A), 506 of the Indian Penal Code and sections 8 and 12 of the Protection of Children from Sexual Offences Act.
3. The allegations levelled against the applicant were that when she was 14 years old, the applicant forcefully sat her in rickshaw and said that he liked her. He took her to another place and forcibly asked her to board the train. They went to Manmad and then again went to Bhopal. She levelled the allegations against the applicant that he outraged her modesty, however did no forceful sex.
4. The APP and the learned counsel for the victim would submit

that the relatives of the applicant were threatening the witnesses and parents of the victim. The applicant did illegal acts and took 14 years old girl without the consent of parents with him at different places. He constantly kept the victim under threats. Hence, she could not cry. However, such apprehension can be guarded by imposing the stringent conditions.

5. Considering the allegations levelled against the applicant, no use of weapon and completion of the investigation, it would be unjustifiable to keep him behind bars. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant MANGESH BABULAL PALHATE be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of like amount, in the above crime for the aforesaid offences, on the following conditions :
 - (a) The applicant should not tamper with the prosecution witnesses.
 - (b) He should not enter Abdimandi area, Aurangabad till the trial is concluded.
 - (c) He should not contact the victim in any mode or manner till the trial is concluded.
 - (d) If it is proved to the satisfaction of the Court that after bail is

granted, the applicant threatened the witnesses, this bail would be automatically cancelled.

(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