



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 BAIL APPLICATION NO. 2343 OF 2023

YOGESH VITTHAL SHENDGE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Shekade Shashikant E.

APP for Respondent/State : Mr. D. J. Patil.

Advocate for Respondent No.2 : Mr. Raut Ashok D.

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CORAM : S. G. MEHARE, J.

DATE : 05.07.2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned APP for the respondent-State.

2. The applicant seeks bail in Crime No.199 of 2023, registered with Beed Rural Police Station, District Beed, for the offences punishable under Sections 376, 376(2)(j), 376(2)(n), 376(3), 376(2)(I), 313, 315, 316, 318, 201, 342, 506 read with Section 34 of the IPC and Sections 4, 6, 8 and 12 of the POCSO Act.

3. Learned counsel for the victim has argued that the trial has been commenced and three witnesses have been examined. The trial has been directed to be completed within six months.

The present applicant helped the main accused, who is still absconding. The applicant has played an active role. Hence, he may not be granted bail.

4. It was a case of love affair between a minor girl and a major boy. The allegations against the applicant were that he helped them to abort. Except this, nothing is against him. Nothing has been recovered from him. There is no bar to consider the bail application, after commencing of the trial. The applicant approached this Court for the first time. In view of the arguments of the learned counsel for the victim, that main accused is his cousin brother, the bail cannot be granted to him. Considering the role attributed to the applicant, he deserves bail. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant **YOGESH VITTHAL SHENDGE** 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, on the following conditions :
 - (a) The applicant shall not tamper with the prosecution witnesses.

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

(S. G. MEHARE, J.)

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vmk/-