



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

921 BAIL APPLICATION NO. 1537 OF 2024

PRASHANT KASHINATH SALVE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Ms. Shinde Sunita R.

APP for Respondent/State : Mr.G.O. Wattamwar

Advocate for Respondent no.2 : Mr.Ashutosh Kulkarni (appointed Through Legal Aid)

...

CORAM : S. G. MEHARE, J.

DATE : 18th 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.55 of 2022 registered with Pundliknagar Police Station, Aurangabad, for the offences punishable under sections 363, 376, 376(2)(N), 109, 366, 342 and 344 read with 34 of the Indian Penal Code and sections 4, 5(L), 6 and 17 of the Protection of Children from Sexual Offences Act.
3. The statement of the victim recorded after attaining majority appears unnatural. It has been alleged against the applicant that the applicant took her to the house of one lady known to her. She stayed there for four months. That lady was asking her to marry her son, but she refused. The vague allegations have been made that during her stay with that lady her son and the applicant did forcible sex with her. Overall conduct of the victim shows that something is missing. Surprisingly, for four months, the police could not search her after the

missing report. She had many occasion to flee away, but she preferred to stay with the said lady. Overall the allegations appear not to be believable at this juncture. Hence, the applicant deserves bail. Hence, the following order:

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant PRASHANT KASHINATH SALVE 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 contact the victim and her family members till the trial is concluded.
 - (c) He should attend the trial on each and every date and co-operate with the Trial Court to conclude the trial.
- (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.)