

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.3807 OF 2024

Rahul Prakash Jadhav

...Applicant

Vs.

The State of Maharashtra and Others

...Respondents

Mr. Vaibhav R. Gargade, Advocate for Applicant.

Mr. S. S. Chaudhary, APP for State-Respondent.

Mr. Vinayak Patil with Mr. Vinayak Patil with Mr. Vishal Nevshe with

Mr. R. Ade with Mr. Nilesh Rathod, Advocate for Respondent No. 2.

CORAM:- ANIL S. KILOR, J.

DATED:- 13th DECEMBER, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 116 of 2024 registered with Mahatma Gandhi Chowk Police Station, Miraj for the offences punishable under Sections 363, 366, 376(2)(N), 376(2)(F) and 506 of the Indian Penal Code, 1860 and Sections 4, 5(L), 5(N), 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

- 3) Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during the investigation, it is evident that there was a love affair between the applicant and the victim.
- 4) Today, the mother of the victim and the victim both are present in Court personally and they have been identified by the learned Counsel for the respondent No. 2. On instructions, the learned Counsel for respondent No. 2 informs that the victim and her mother do not have any objection to grant bail to the applicant, considering the fact that there was a love affair between the applicant and victim.
- 5) In the present matter, the applicant is in jail from last seven months and in the meantime, the charge-sheet has been filed. Thus, considering the above-referred fact and further the fact that there is unlikelihood that the trial will be concluded in near future, I am of the opinion that the applicant is entitled for grant bail.
- 6) In the circumstances, though the learned Counsel for the respondent No. 2 and the learned APP strongly opposed the application, I pass the following order.

ORDER

- (i) The Bail Application is allowed;
- (ii) It is directed that the Applicant shall be released on bail in Crime No. 116 of 2024 registered with Mahatma Gandhi Chowk Police Station, Miraj for the offences punishable under Sections 363, 366, 376(2)(N), 376(2)(F) and 506 of the Indian Penal Code, 1860 and Sections 4, 5(L), 5(N), 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on

furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;

iii The applicant shall attend the said Police Station on 1st day of every month between 10.00 am to 11.00 am, till the conclusion of the trial except on the date of trial;

iv. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;

v. Liberty is granted to the State to apply cancellation of bail if the applicant commits similar offence.;

vi. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.

vii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]