

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

ANTICIPATORY BAIL APPLICATION NO. 3011 OF 2024

Sangita Kampanna Hiremath

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. Dhananjay K. Bhosale, for Applicant.
- Mr. Mayur S. Sonavane, APP for Respondent.
- Mr. Pramod Yashwant More, Head Constable, Mangalwedha Police Station.

CORAM : MANISH PITALE, J.

DATE : 14th NOVEMBER, 2024.

P. C. :

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

2. The applicant is apprehending arrest in connection with First Information Report No.0064 of 2024, dated 28.01.2024, registered at Police Station Mangalwedha, District Solapur, for offence under Section 363 of the Indian Penal Code, 1860 (IPC).

3. Subsequently, offences under Sections 376, 376(2)(n), 376(3) and 506 of the IPC were added and offences under Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act) were also added. The victim has been made party respondent No.2 in the present application. Notice will have to be issued to her but, the learned counsel for

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MALANI

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the applicant is pressing for interim relief.

4. This Court has heard the learned counsel for the applicant and the learned APP for the State in the context of material available on record. The allegation in the present case is that the brother of the applicant i.e. the co-accused person committed forcible sexual intercourse with the victim, who was about 15 years and 6 months at the time of the incident.

5. This Court has perused the statement of the victim, wherein she has alleged that the co-accused person i.e. the brother of the applicant took the victim to the house of the applicant. On two occasions, while the applicant slept on the terrace of the house, the victim was with the co-accused, who allegedly committed forcible sexual intercourse with her.

6. Considering the nature of allegation made against the applicant herein, this Court is inclined to grant interim relief during the pendency of the present application.

7. Accordingly, there shall be interim relief in the following terms :

- (A) Till the next date, in the event the applicant is arrested in connection with FIR No.0064 of 2024, dated 28.01.2024, registered at Police Station Mangalwedha, District Solapur, she shall be released on bail on furnishing PR Bond of

₹25,000/- with one or two sureties in the like amount.

- (B) The applicant shall co-operate with the investigation.
- (C) The applicant shall not influence the informant, witness or any person concerned with the case and she shall not tamper with the evidence.

8. Issue notice to the respondent No.2, returnable on 13th December, 2024, "High on Board."

9. Needless to say, violation of any of the aforesaid conditions may result in this order being cancelled.

10. List for further consideration on 13th December, 2024, "High on Board."

(MANISH PITALE, J.)