



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO.2403 OF 2024

Ajay Juga Padvi

.. Applicant

Versus

The State of Maharashtra,
Through Police Inspector,
Police Station – Dhadgaon,
District Nandurbar.

.. Respondent

Mr. Gajendra Devichand Jain, advocate for the applicant.

Mr. N. B. Patil, APP for Respondent.

CORAM : ARUN R. PEDNEKER, J.

DATE : 06.02.2025

PC.:-

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

2] The applicant is seeking bail as he was arrested in connection with FIR No.0178/2024 dated 22.09.2024, registered at Dhadgaon Police Station, District Nandurbar, for the offences punishable under sections 376 (2)(n), 323 and 506 of the Indian Penal Code, 1860.

3] The applicant seeks regular bail for which he has been arrested in the offence on 22.09.2024. The case against the applicant is that on 03.03.2024, he came on a motorcycle and had given a lift to the informant. The informant-victim was 19 years of age at the time they had committed sexual intercourse. Thereafter, it is again alleged that on 07.03.2024, the applicant had again committed sexual intercourse with the informant, thereafter, again similar instance is

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noted. It is also stated that the applicant maintained physical relations with the informant till June 2024. Thereafter, the victim had conceived. The victim had also delivered a child in November 2024. The FIR was registered on 22.09.2024 against the present applicant. The applicant is taken into custody on the same day. The applicant is behind the bars and continues to be in custody for a period of more than four months.

4] Considering the factual scenario as noted above, *prima-facie*, relation of the applicant with the victim appears to have been consensual. Considering the same and also considering the fact that the substantial time would be required to complete the trial. The applicant is granted bail.

5] In view of the above, the application is allowed in the following terms :

- a] The applicant shall be released on bail in connection with FIR No.0178/2024 dated 22.09.2024, registered at Dhadgaon Police Station, District Nandurbar, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.
- b] The applicant shall not enter the jurisdiction of Dhadgaon Police Station, Nandurbar during pendency of the trial.
- c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

- d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.
 - e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.
 - f] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.
- 6] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.
- 7] The application stands disposed of.

(ARUN R. PEDNEKER)
JUDGE