



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 2283 OF 2024

Sonaji Maroti Bhumre,
Age : 55 Years, Occu. : Private Service,
R/o. Dharkhed, Gangakhed,
Parbhani, Dist. Parbhani.

**... Applicant
(Ori. Accused
No.2)**

VERSUS

- 1) The State of Maharashtra,
Through Officer In Charge,
Police Station Gangakhed,
Dist. Parbhani.
- 2) The Superintendent of Police,
Parbhani, Dist. Parbhani.
- 3) XYZ

... Respondents

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Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondent Nos.1 & 2-State : Mr. P.K. Lakhotiya
Advocate for Respondent No.3 : Ms. Geeta Deshpande (Appointed)
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CORAM : ABHAY S. WAGHWASE, J.

Dated : 30th January 2025

ORDER :

- 1) Applicant seeks enlargement on regular bail on account of his arrest in crime bearing No.0559/2024, registered at Gangakhed Police Station, for offences under Sections 64(1), 64(2)(i), 65(1) of

the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 8, 12, 17 of the Protection of Children from Sexual Offences Act, 2012.

2) Pointing to the date of arrest as 1st September 2024, it is submitted that, FIR is of 30.08.2024. The present applicant is falsely implicated. He has no concern with the alleged crime. That, he has been implicated merely for working as a manager of lodge, which was allegedly used by accused No.1. Learned counsel for the applicant pointed out that, only allegation against the applicant is that, he did not seek Aadhar Card, which was procedure directed by the Government Authorities and Police Authorities. That, with such allegation, his detention is not required and hence, learned counsel seeks relief of bail.

3) Learned APP as well as learned counsel appointed for the victim both pointed out that, the applicant was let out a room to accused No.1, who had brought the victim, who was a minor. That, there is violation of procedure. That, he being manager, was expected to seek details and only on verification of documents like Aadhar Card, he ought to have allotted a room. However, he failed and therefore, he made accused. For above reason, both have opposed bail application.

4) Heard. Perused the papers and FIR. FIR seems to be registered on the report of victim, who is shown to be 14 years 2 months old. She has alleged that, prior to ten days of the report, she was approached by one boy convincing that he liked her and suggested to talk with him. That, even two days back, he sent mobile through her friend and started conversation. She further reported that, on 30.08.2024, said boy called her at Bus Stand, Gangakhed and took her Anand Lodge and after offering her chocolate, he had sexual intercourse with her. On above report, Gangakhed Police Station seems to have registered crime bearing No.0559/2024 for above offences.

5) Admittedly, role attributed to the present applicant is that, he allotted a room of the lodge, where he was appointed as a manager. Except such allegation, there is no other role attributed to the applicant. He is behind the bars since September 2024. Now, charge-sheet is already filed and when there is no plausible reason for his further continue custody, the relief as prayed deserves to be granted. Hence, following order.

ORDER

- i) The application is allowed.

- ii) Applicant Sonaji Maroti Bhumre, be released on bail in connection with Crime No.0559 of 2024, registered with Gangakhed Police Station, Dist. Parbhani, on executing P.R. Bond of Rs.15,000/- (Rupees Fifteen Thousand Only) with one surety in the like amount.
- iii) The applicant shall not tamper prosecution evidence.
- iv) Fees of learned Advocate, who is appointed to represent the cause of respondent No.3 is to be paid by the High Court Legal Services Sub-Committee, Aurangabad as per rules.

[ABHAY S. WAGHWASE, J.]

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