



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

962 ANTICIPATORY BAIL APPLICATION NO. 1320 OF 2024

Ajay Prakash Bhalsinge Patil
VERSUS
The State Of Maharashtra And Others

...
Advocate for Applicant : Mr. Ghanekar Nilesh S.
APP for Respondents-State: Mr. S. P. Sonpawale
Advocate for Respondent No.3 : Mr. Mr. R. K. Ashtekar a/w Mr. V. G. Shelke
...

CORAM : ARUN R. PEDNEKER, J.

Dated : January 29, 2025.

PER COURT :-

1. Heard learned counsel for the applicant and the learned APP for the respondent-State, and the learned Counsel for respondent No.3.
2. The applicant is apprehending arrest in connection with FIR No.0266/2024, dated 10/07/2024, registered at Pundlik Nagar Police Station, District Aurangabad, for the offences punishable under sections 69, 351(2), of the Bharatiya Nyaya Sanhita, 2023, and under Section 4, 8, 12 of the Protection of Children from Sexual offences Act, 2012.
3. This Court, by order dated 02/08/2024, granted interim protection to the applicant. The case of the informant is that the she was acquainted with the applicant/accused since 2021, and the applicant/accused, by forging her age in the Aadhaar card, took her to various hotels and established physical relations with her on the promise of marriage. In the year 2022, the victim realized that the applicant was avoiding marriage.

4. It appears that the relationship between the applicant and the informant was maintained over a long period of time and with her consent. There was a promise of marriage, and only when the applicant avoided marrying the victim was the information lodged. The informant's statement under Section 164 of Cr.P.C. has also been recorded, which *prima facie* states that the relations were consensual in nature. Considering the same, the interim protection granted to the applicant stands confirmed.

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

i] In the event the applicant is arrested in connection with FIR No.0266/2024, dated 10/07/2024, registered at Pundlik Nagar Police Station, District Aurangabad, for the offences punishable under sections 69, 351(2), of the Bharatiya Nyaya Sanhita, 2023, and under Section 4, 8, 12 of the Protection of Children from Sexual offences Act, 2012, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

ii] The applicant shall attend the police station as and when called by the police.

iii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant,

witnesses and other persons concerned with the case.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.