



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

1022 BAIL APPLICATION NO. 402 OF 2025

**BARKU @ PRAVIN BALU PATIL
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER**

...

Advocate for Applicant : Adv.Rani K. Agrawal
APP for Respondent-State : Mr.D.J.Patil
Advocate for Respondent no.2 : Mrs.Meenal S. Deshmukh h/f.
Mr.S.A.Kulkarni

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 25.06.2025

P.C. :

1] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the respondent no.2.

2] The applicant is seeking bail as he is arrested on 16.04.2023 in connection with FIR No.119 of 2023, registered with Parole Police Station, District Jalgaon, for the offence punishable under Sections 376 (D), 354, 501, 34 of the IPC, 1860 r/w. Section 4, 5 (n), 12, 8 of the Protection of Children from Sexual Offences Act, 2012 r/w. Section 3 (1)(r)(s), 3(1)(w)(i)(ii), 3(2)(v-a) of the SC & ST [Prevention of Atrocities] Act, 1915.

3] The FIR is registered on 16.04.2023 against the present applicant along with other accused, alleging that all three accused had taken victim on their motorcycles at different places in the agricultural lands and committed sexual assault against her wish. At the time of offence the age of the victim was 16 years. Thereafter, she became pregnant. DNA of abortus was taken wherein co-accused said to be father of the abortus.

4] It is stated that the parties had compromised the matter and that the victim and mother of the victim have filed affidavit stating that they have no objection to grant bail in favour of the applicant. On last occasion, the victim and the mother of the victim were present in the Court.

5] *Prima facie* the record indicates that the relation of co-accused with the victim were consensual, so also, considering that the victim and mother of the victim have no objection to grant bail in favour of the applicant, the applicant is granted bail. In view of the same, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with FIR No.119 of 2023, registered with Parole Police Station, District Jalgaon, for the offence punishable under Sections 376 (D), 354, 501, 34 of the IPC, 1860 r/w. Section 4, 5 (n), 12, 8 of the

Protection of Children from Sexual Offences Act, 2012 r/w. Section 3 (1)(r)(s), 3(1)(w)(i)(ii), 3(2)(v-a) of the SC & ST [Prevention of Atrocities] Act, 1915, 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, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] 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.

e] 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

DDC