

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

CRIMINAL BAIL APPLICATION NO. 4557 OF 2024

Yogesh Bajirao Shirawale	...Applicant
<u>VERSUS</u>	
The State of Maharashtra and Anr.	...Respondents

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Mr. Balwant Salunkhe, Advocate for the Applicant.

Ms. Anamika Malhotra, A.P.P. for the Respondent – State.

Ms. Kanchan Pawar, appointed advocate for Respondent No.2.

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CORAM : N. R. BORKAR, J.
DATE : 01.04.2025.

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No. 41 of 2024 registered at MIDC Police Station, Dist- Raigad for the offences punishable under Sections 376, 376(2)(f), 376(2)(n) & 376(2)(k) of the Indian Penal Code and under Sections 4, 6, 8, 10 & 12 of the Protection of Children From Sexual Offences Act, 2012.

3. The applicant is accused No.2 in the aforesaid crime. The victim was in relationship with the accused No.1. It is alleged that her parents came to know about their relationship and she thus broke her relationship with him.

It is alleged that the victim thereafter got acquainted with the present applicant. It is alleged that the present applicant had made her to send her nude photographs to him. It is alleged that one day in the month of September-2023 he took her to one isolated place and there committed forcible sexual intercourse with her.

4. I have heard the learned counsel for the applicant, the learned APP for the respondent/State, learned counsel for the Respondent No.2 and perused the statement of the victim.

5. The victim has disclosed about the alleged act by the applicant only after she was found to be pregnant. *Prima-facie*, the alleged act appears to be consensual. The applicant is in jail for one year. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 41 of 2024 registered at MIDC

Police Station, Dist- Raigad for the offences punishable under Sections 376, 376(2)(f), 376(2)(n) & 376(2)(k) of the Indian Penal Code and under Sections 4, 6, 8, 10 & 12 of the Protection of Children From Sexual Offences Act, 2012, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not contact the victim.

6. Application stands disposed of accordingly.

(N. R. BORKAR, J.)