

3. The victim is the daughter of the present applicant. The first information report is lodged by the mother of the victim (wife of the applicant). The allegations against the applicant *inter alia* are of penetrative sexual assault.

4. I have heard the learned counsel for the applicant, learned A.P.P. for the Respondent No.1-State and the learned counsel for Respondent No.2/first informant.

5. The learned counsel for the Respondent No.2/first informant submits that the report was lodged due to some misunderstanding. It is submitted that the first informant has no objection if the applicant is released on bail.

6. The learned counsel for the applicant submits that the applicant is willing to reside separately from his wife and the victim and is ready to pay them Rs.5000/- every month towards maintenance. The learned counsel for the applicant has tendered an affidavit to that effect.

7. On the other hand, the learned A.P.P. for the Respondent-State submits that considering the nature of offence, the applicant may not be released on bail.

8. The applicant is in jail for about one year and five months and the trial has not commenced. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed :

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 1021 of 2023 registered at Pimpri Police Station, District : Pimpri Chinchwad for the offences punishable under Sections 354, 376(2)(f), 376(2)(i) of the Indian Penal Code, Sections, 3, 4, 5(n), 6, 8, 12 of the Protection of Children from Sexual Offences Act, 2012, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The statement made by the applicant in the Affidavit is accepted as undertaking to this Court.
- (iv) Application is disposed of in the aforesaid terms.

(N. R. BORKAR, J.)