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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 777 OF 2025

Hariom Ramnarayan Sing

.. Applicant

Versus

The State of Maharashtra and Anr.

.. Respondents

-
- Mr. Rishikesh A. Mohite, Advocate for Applicant.
 - Ms. Shilpa K. Gajare – Dhumal, APP for Respondent No.1 – State.
 - Ms. Pipli Datta, Advocate for Respondent No.2 appointed through Legal Aid.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 03, 2025.

P.C.:

1. Heard Mr. Mohite, learned Advocate for Applicant; Ms. Gajare – Dhumal, learned APP for Respondent No.1 – State and Ms. Datta, learned Advocate for Respondent No.2 appointed through Legal Aid.

2. In the present crime, Applicant is incarcerated for the past 8 months.

3. Today, Ms. Datta, learned Advocate appears for Respondent No.2 appointed through the Legal Aid. It is *prima facie* seen that the Applicant was 20 years whereas the prosecutrix victim was 14 years old at the time of incident, rather the first incident. The tenure of the incident is around 4 years.

4. Learned Advocate for the Applicant would persuade the Court to consider the consensual relationship between the parties but objected by the learned Advocate for prosecutrix stating that due to the prosecutrix being a minor her consent would be irrelevant in view of the statutory presumption under Section 29 of the Protection of Children from Sexual Offences Act, 2012.

5. List the Bail Application on the Board on **16th April, 2025**. To be listed under the caption '**For Directions**'.

[MILIND N. JADHAV, J.]

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