

Order Below Ex.1.

1] Applicant has filed this application under Section 439 of the Code of Criminal Procedure for grant of bail in Crime No. 433/2017 registered at Sinhgad Road Police Station under section 376(2)(1) of IPC and under section 4(J)(1) of Protection of children from sexual offence Act 2012. The prosecution has resisted the application by filing the written say Exh.3. Heard learned advocate for the applicant and APP for State.

2] In short the contention of the applicant is that he has been involved in false matter. The informant lodged the FIR on 11.10.2015 and accordingly this crime is registered against the applicant. The victim girl is 15 years old. She is daughter of the informant. During the mont of December-2014 to August-2015 the applicant committed rape over the victim girl near Canal at Vadgaon bridge. Due to the said rape the victim girl became pregnant. She gave birth to one daughter. On these allegations the FIR is lodged against the applicant. The applicant is arrested in this crime on 23.05.2017. The leaned Advocate for the applicant submitted that the applicant is falsely implicated in this crime. At present the victim girl and her child are residing with the family of present applicant. The applicant is only earning member in his family. Therefore, he submitted to release the applicant on bail.

3] APP for the State is submitted that the offence is of serious nature. Many days after the date of lodging the FIR the applicant is found and arrested. He is likely to abscond. If the applicant is released on bail he will pressurize the witnesses. Therefore, he submitted to reject this application.

4] I have gone through the papers of investigation.

In the present case the statement of the victim girl is recorded by IO. In her statement before IO the victim girl has stated that at present she is residing with family of applicant happily. She has also stated that with the consent of her parents she and applicant got married in Sai Temple at Karvenagar. Then applicant took the victim girl to his house at Khed Shivapur. After the delivery applicant took the victim girl in the month of January-2016 to his house at Khed Shivapur . Thus, from the statement of the victim girl, it is seen that now she is residing with the family of the applicant. During hearing of this bail application the victim girl along with her child was present and she informed the court that she is residing with the family of applicant. Considering all these facts and circumstances of the case and as the victim girl along with her child residing with the family of the applicant I am inclined to grant this application. With this, I proceed to pass the following order -

ORDER

- 1] The application is allowed.
- 2] The applicant Parshuram Anna Lashkare be released on executing P. R. bond of Rs.30,000/-, with one or two solvent sureties in the like amount.
- 3] The applicant shall attend Sinhgad Road Police Station on each Monday in between 11.00 a.m. to 1.00 p.m. till filing of chargesheet.
- 4] The applicant shall not tamper the prosecution witnesses in any manner.
- 5] The applicant shall not leave the jurisdiction of this court without prior permission of this court.
- 6] The applicant shall co-operate the IO during investigation and he shall remain present before the IO as and when required for investigation.

Pune.
Date – 10.07.2017

(R.N.Sardesai)
Addl. Sessions Judge, Pune.

“ I affirm that the contents of the P.D.F. File Judgment are same word for word as per original judgment.

Name of Steno	- S.V.Thakar,
Court Name	- R.N.Sardesai, Additional Sessions
Judge,	Pune.
Date of order	- 10.07.2017
Order signed by P.O.	- 10.07.2017
Order uploaded on	- 12.07.2017