

Spl. Case No. No.70/2024  
State Vs. Aakash Chavhan  
CNR No.MHNS070012162024

**ORDER BELOW EXH.4**

1. This is an application for bail under Section 439 of the Code of Criminal Procedure, in Crime No.192/2024, registered with Malegaon Taluka Police Station, Tal. Malegaon, Dist. Nashik, for the offences punishable under sections 363, 376, 376(ii)(n), 376(3) of the Indian Penal Code, 1860, and under sections 4, 8, 12 of the Protection of Children from Sexual Offences Act, 2012.
2. Heard the learned counsel for the accused and the learned A.P.P., for the State. Perused the record.
3. It is submitted by the learned counsel for the accused that there was love affair between the accused and the victim. The relationship was consensual.
4. *Per contra*, it is submitted by the ld. APP that the victim was a child. The accused is likely to tamper with the witnesses.
5. As per the statement of the victim, there was love affair between her and the accused and they had run away together and had sexual intercourse.
6. The age of the victim appears to be 15 years 9 months at the time of the incident. She had almost attained the age of discretion.

The relationship was consensual. The accused is barely aged about 22 years. Charge-sheet came to be filed.

7. Considering the entire scenario, the accused deserves to be enlarged on bail, due to which, I proceed to pass the following order.

**ORDER**

- (1) The application is hereby allowed.
- (2) The accused be released on bail, on his executing PR. bond of ₹. 15,000/- [₹. Fifteen Thousand Only], with one surety in the like amount, in the aforesaid crime, on the following conditions;
- i. The accused shall not tamper with the prosecution witnesses in any manner.
  - ii. The accused shall not indulge into any similar crime.

Date: 07/06/2024  
Place: Malegaon

( S.U. Baghele)  
Special Judge, Malegaon.