

**IN THE COURT OF SESSIONS JUDGE, BARAMATI.**

(Presided over by S.T.Bhalerao, Addl.Sessions Judge)

**Special Case (Child Prot.) No. : 111 of 2019.**

(CNR NO. : MHPU14-002518-2019)

**Complainant** : State of Maharashtra

// **VERSUS** //

**Accused** : **Yogesh Bhagwan Bhise**  
Through Police Station Officer,  
Police Station Baramati City, District Pune.

**ORDER BELOW EXHIBIT 4.**

( Passed on this 1st October, 2019 )

This is an application for grant of bail in Crime No. 435/2017 under Sections 363, 366, 376 of the Indian Penal Code and u/ss 4, 6 of the Protection of Children from Sexual offences, Act, 2012 registered at Police Station Baramati City, Dist. Pune filed under Section 439 of the Code of Criminal Procedure, 1973.

2] It is contended that the accused is from the poor family. He is a labourer. He undertakes not to flee from the justice. There is inordinate delay in lodging the FIR. The accused is not involved in this Crime. The investigation is complete and charge sheet has been presented. There are no criminal antecedents. Accused is ready to abide by all the conditions. It is submitted to allow the application.

3] Learned APP opposed application by filing say on the overleaf of the application. It is contended that in the supplementary statement it reveals that the victim was minor when kidnapped. The accused took her at different places and against her will impregnated her. The accused denied to wed her. There is *prima facie* case. There is direct evidence as the child has borne. It is submitted to reject the application.

4] Heard both the sides and perused the charge sheet. The learned advocate for the accused reiterated the contentions made in the application. It is submitted that the victim and her brother have sworn affidavits and thereby submitted that the accused and the victim have already wedded. The child born has been deprived of love and affection of father. It is submitted to allow the application of bail.

5] Learned APP opposed the application. It is submitted that the offence is serious.

6] It is seen that the victim about age 16 years is stated having been kidnapped by the accused. There appears previous friendship between the accused and the victim. Now the victim states having got wedded with the accused. The victim is present before the Court with her baby. The said relations appears having ameliorated.

7] The investigation is complete. The further detention of the accused does not appear must. No criminal antecedents are pointed out. The accused is about 26 years. It would take considerable time to decide the matter. Possibility of fleeing from justice is not there. Hence, the following

order.

**ORDER**

[i] The application (Exh.4) is allowed.

[ii] The accused namely **Yogesh Bhagwan Bhise** be released on bail on his executing P.R. Bond of Rs. 15,000/- (Fifteen Thousand only) with a surety in the like amount in Crime No. 435/2017 punishable under Sections 363, 366, 376 of the Indian Penal Code and u/ss. 4, 6 of the Protection of Children from Sexual offences, Act, 2012 registered at Police Station Baramati City, Dist. Pune, on the following conditions :-

[a] He shall not directly or indirectly make any inducement, threat or promise to any of the witnesses and shall not tamper the prosecution evidence.

[b] He shall regularly attend in the Court.

[c] He shall not leave India without permission of the Court.

[iii] Bail before this Court.

Baramati.  
Dated : 01.10.2019.

( **S.T. Bhalerao** )  
Addl.Sessions Judge,  
Baramati.

**C E R T I F I C A T E**

I affirm that the contents of this P.D.F. file judgment are same word for word as per original judgment.

Name of Steno : Vyavahare PP. Steno-III  
Court Name : Shri. S.T.Bhalerao, District Judge-2  
and Addl.Sessions Judge, Baramati.  
Date : 01/10/2019  
Judgment/order signed by P.O. On : 01/10/2019  
Judgment/order PDF on : 01/10/2019  
Judgment/order uploaded on : 01/10/2019