

Order below Exh.1 in Bail Application No. 1247/2022

1/- Satyabhama Ganpat Hambir & ors. .. Applicants/
Accused.

Vs.

The State of Maharashtra
through Police Inspector,
Trimbakeshwar Police Station, Trimbakeshwar.
(Cr. No.I 188/2022) .. Prosecution

Order below Exh.1.

1. This application has been filed by the applicants/accused under section **438 of Cr.P.C.** for releasing them on **anticipatory bail** in the event of their arrest in the aforesaid Crime registered at Trimbakeshwar Police Station, for the offence punishable under sections 376(2)(n), 109 of the Indian Penal Code and u/s. 9, 10, 11 of the POCSO Act and accordingly, interim protection was granted to applicants on 12.10.2022.

2. Heard learned Advocate Shri A.K.Kale for applicants and learned APP Smt. Sangale. Informant is present before the Court. Perused the case papers.

2. It is the case of the prosecution that the applicants facilitated co-accused for sexually exploiting the minor victim.

3. On perusal of record, it reveals that main allegations are against accused No.1. Learned Advocate for the applicants submitted that the victim is on the verge of majority. She had love-affair with accused No.1. On her Adhar-card, her birth year is mentioned as 2003 and therefore, she has performed marriage with accused No.1. The applicants have no direct concern with the alleged offence and they had no knowledge about her real age. Thus, prima facie involvement of the applicants with alleged offence, is found to be in cloud. Now, the say is filed by prosecution with formal objections. Main accused is released on bail, therefore, on the ground of parity also, applicants are entitled for grant of bail.

4. Ld. Advocate for the applicants submitted that applicants have no criminal antecedents. They are local resident and they are ready to abide any conditions imposed upon them. Therefore, considering all these aspects, this Court is of the view that interim relief granted to applicants can be confirmed. Hence, the order.

::O R D E R::

- 1] The application (Exh. 01) is allowed.
- 2] Interim protection granted to applicants on 12.10.2022 stands confirmed subject to same terms and conditions.

Nashik
Date : 19.10.2022.

(Aditee U. Kadam)
Additional Sessions Judge-2,
Nashik.