

FARAD CONTINUATION SHEET NO.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE, BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1217 OF 2015

[Ranjit s/o Appa Bavane Vs The State of Maharashtra & anr.]

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or
directions and
Registrar's orders

Court's or Judge's orders

Shri N.S.Tekale, advocate for applicant
Smt. V.A.Shinde, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.
DATED : 24th March, 2015

PER COURT :-

- 1] By the present application, the applicant is seeking his enlargement on bail, in connection with Crime No.20 of 2015, registered at Washi Police Station, for the offences punishable under Sections 376, 354(a)(1)(2), 341, 506 of the Indian Penal Code.
- 2] Heard learned counsel for the applicant and the learned Additional Public Prosecutor for the respondent/State.
- 3] The bail is opposed on the ground that investigation is in progress and charge sheet is yet to be filed.
- 4] The first information report is lodged on 1.2.2015 and the said first information report is completely silent about the allegation in respect of the offence punishable under Section 376 of the Indian Penal Code. The supplementary statement of the prosecutrix was recorded on 4.2.2015 and for the first time on the said date the allegations in respect of the offence punishable under Section 376 of the Indian Penal Code are surfaced. The prosecutrix was examined on 4.2.2015. The learned Additional Public Prosecutor submits

that the prosecutrix was having external injury. Further, the prosecutrix is a married woman. Looking to the fact that there is a delay in her medical examination and also for the first time the allegations are surfaced in so far as an offence punishable under Section 376 of the Indian Penal Code are concerned, after a period of 3 days, the applicant needs to be released on bail. The apprehension of the prosecution can be taken care of by imposing certain stringent conditions. Hence I pass following order.

ORDER

- (i) Application is allowed.
- (ii) The applicant be released on bail on his executing P.R.bond of Rs.10000/- with one solvent surety in the like amount.
- (iii) Bail before the trial court.
- (iv) The applicant shall not in any way tamper with the prosecution witnesses.
- (v) The applicant shall attend the police station Washi thrice a week i.e. on every Sunday, Tuesday and Thursday in between 2.00 p.m. and 4.00 p.m. till the charge sheet is filed.
- (vi) Needless to mention, the observations made in this order are prima facie in nature and are restricted to this application only. The learned Judge of the court below shall not get influenced himself by the said observations while deciding the matter on merits.
- (vii) Application is disposed of accordingly.

(V.M.DESHPANDE, J.)