

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO. 1251 OF 2015

Mahesh @ Banti S/o Jivanrao Mundhe APPLICANT

V E R S U S

The State of Maharashtra RESPONDENT

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Mr. A.N.Nagargoje, Advocate for Applicant.

Mr. A.S.Shinde, A.P.P. for Respondent – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 24th MARCH, 2015

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PER COURT :

1. This is an application for regular bail filed on behalf of the present applicant in connection with Crime No. 80/2014 registered with Pimpaldari police station, Tq. Gangakhed, Dist. Parbhani for the offences punishable u/s 376 (D), 323, 504, 506 of the Indian Penal Code and Section 3 (1) (xi) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. Heard Mr. A.N.Nagargoje, the learned counsel for the applicant and Mr. A.S.Shinde, the learned A.P.P. for

Respondent – State.

3. The present applicant is accused No. 3. The learned A.P.P. has made available to me the clinical examination of the present applicant. It shows that there were no injuries on the person of the present applicant. It assumes importance in the light of the allegations made by the prosecutrix in the F.I.R. Further, the Doctor who has examined prosecutrix has found that there was no mark of struggle appearing on the body of the prosecutrix. The investigation is over and the investigating agency has already filed charge sheet in the Court of law.

4. In that view of the matter, custodial presence of the applicant is not at all necessary.

5. Hence, I pass the following order.

(i) The present Criminal Application is hereby allowed.

(ii) The applicant Mahesh @ Banti S/o Jivanrao Mundhe be released on bail in connection with Crime No. 80/2014 registered with Pimpaldari police station, Tq. Gangakhed, Dist. Parbhani for the offences punishable u/s 376 (D), 323, 504, 506 of the Indian Penal Code and Section 3 (1) (xi) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 on he executing P.R. Bond of Rs. 10,000/- [Rupees Ten

Thousand] with two solvent sureties of like amount. Bail before the trial Court.

- (iii) The applicant shall attend police station Pimpaldari, Tq. Gangakhed, Dist. Parbhani twice a week, preferably on every Saturday and Tuesday in between 10 a.m. and 12.00 noon till the Charge is framed by the learned Sessions Judge.
- (iv) The present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]