

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

CRIMINAL APPLICATION NO. 1362 OF 2015

Jitendra Ashok Devkar

.... APPLICANT

V E R S U S

The State of Maharashtra

.... RESPONDENT

.....

Mr. N.C.Garud, Advocate for Applicant.

Mrs. Pratibha Bharad, A.P.P. for Respondent – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 26th MARCH, 2015

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PER COURT :

1. This is an application for regular bail filed by the applicant in connection with Crime No. 212/2014 for the offences punishable u/s 376, 363, 366-A of the Indian Penal Code and u/s 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 registered with Police Station Tofkhana, Dist. Ahmednagar.

2. Heard Mr. N.C.Garud, the learned Counsel for the applicants and Mrs. Pratibha Bharad, the learned A.P.P. for the respondent – State.

3. It is clear that the prosecutrix at the relevant time was on the verge of attending majority. The Investigating Officer has already completed his entire investigation and charge sheet is already filed before the Court of law. The injury certificate clearly shows that there are no injuries either on her private part or on her person.

4. In view of the fact that the investigation is already over and charge sheet is filed, no purpose will be served in keeping the applicant in jail.

5. Hence, I pass the following order :

(i) The present Criminal Application is allowed.

(ii) The applicant be released on bail in connection with Crime No. 212/2014 for the offences punishable u/s 376, 363, 366-A of the Indian Penal Code and u/s 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 registered with Police Station Tofkhana, Dist. Ahmednagar on he executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with two solvent sureties of like amount . Bail before the trial Court.

(iii) The applicant shall not tamper the prosecution witnesses and/or pressurize the prosecutrix or her family members and shall attend police station Tofkhana, Dist. Ahmednagar once in fortnight till

charge is framed by the learned Sessions Judge.

- (iv) With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]

KNP/Cr.Apln. 1362.2015