

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 1674 OF 2015

[Laxman s/o Rambhau Vitkare and anr. Vs The State of Maharashtra & ors.]

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

Court's or Judge's orders

Shri V.B.Jogdand, advocate for applicants
Shri A.V.Deshmukh, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.

DATED : 23rd April, 2015

PER COURT :-

1] This is an application for anticipatory bail since the applicants, who are husband and wife are apprehending their arrest in connection with Crime No. 24 of 2015, registered with Sengaon Police Station, District Hingoli, for the offences punishable under Section 363, 366(a), 376(1), 34 of the Indian Penal Code and Sections, 4, 8 of the Protection of Children from Sexual Offences Act.

2] I have heard Shri V.B.Jogdand, learned counsel for the applicants and Shri A.V.Deshmukh, learned Additional Public Prosecutor for the respondent/State.

3] The first information report is lodged with police station on 28.2.2015 for the alleged incident, dated 26.2.2015. The first information report is lodged by Keshav Giri Kashi Giri, who is the grand father of prosecutrix. From the first information report itself, it is clear that she is major. Her marriage was performed on 21.2.2015 with one Vinod. The

first information report reveals that after her marriage when on 26.2.2015 she had been to the house of the first informant, on 23.2.2015 and 26.2.2015 her husband had been to the house of the first informant to fetch her. That time after meal on the pretext to answer nature's call, the prosecutrix left the house and she did not return back. The inquiry was made and in that inquiry it was revealed to him by his nephew Sanjay that he has seen prosecutrix leaving the place on a motor cycle of one Vishnu.

4] The present applicants are the parents of said Vishnu. The first information report further reveals that when the first informant and others had been to the place of the present applicants to make inquiry, the present applicants did not give any reply, and therefore, they are joined as accused persons.

5] From the accusations made in the first information report, it is clear that no role is played by the present applicants. It is informed to the court that the main accused Vishnu is already arrested and is behind the bars. In that view of the matter, the application for anticipatory bail of the present applicants can be favourably considered. Hence, I pass following order.

O R D E R

(i) Applicant No.1-Laxman s/o Rambhau Vitkare and No.2-Radhabai w/o Laxman Vitkare, in the event of their arrest by the police authorities, in connection with Crime No. 24 of 2015, registered with Sengaon Police Station, District Hingoli, for the offences punishable under Section 363, 366(a), 376(1), 34 of the Indian Penal Code and Sections 4, 8 of the Protection of Children from Sexual Offences Act, be

released on anticipatory bail on they each executing P.R.bond in the sum of Rs.10,000/- with one solvent surety in the like amount by each of them.

(ii) The application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap1674.15