

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 1686 OF 2015**[Shahaji Rama Jadhav Vs The State of Maharashtra]**

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

Court's or Judge's orders

Shri A.S.More, advocate for applicant

Shri U.H.Bhogale, A.P.P. for respondent

.....

CORAM : V.M.DESHPANDE, J.

DATED : 17th April, 2015

PER COURT :-

1] By this application, the applicant is seeking his release on bail since he is arrested in connection with Crime No. 23 of 2015, registered with Jamkhed police Station, District Ahmednagar, for the offences punishable under Sections 376 (2)(H)(N), 506 of the Indian Penal Code and under Sections 3(2)(5), 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

2] Heard Shri A.S.More, learned counsel for the applicant and Shri U.H.Bhogale, learned Additional Public Prosecutor for the respondent/State.

3] Though charge sheet is not filed yet, according to the investigation papers and according to the learned Additional Public Prosecutor, the statement of the prosecutrix is already recorded. The blood samples of the prosecutrix, the blood

samples of the present applicant and also the blood samples of the newly born child are taken and are already sent to the Forensic Laboratory, Kalina, Santacruz, Mumbai and as such entire investigation is already over. The prosecutrix is aged about 40 years. She is a widow.

4] Looking to the nature of the accusations made against the present applicant, prima facie, it appears that the element of force is absent. Further, looking to the fact that entire investigation is completed, and hence, further custodial presence of the present applicant is not necessary. Hence I pass following order.

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant-Shahaji Rama Jadhav be released on bail, in connection with Crime No. 23 of 2015, registered with Jamkhed police Station, District Ahmednagar, for the offences punishable under Sections 376 (2)(H)(N), 506 of the Indian Penal Code and under Sections 3(2)(5), 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on he executing P.R. bond in the sum of Rs.25,000/- with two solvent sureties in the like amount.
- (iii) Bail before the trial court.
- (iv) The applicant-Shahaji Rama Jadhav shall not enter the territorial limits of Pimpalgaon Unda, Taluka Jamkhed, District Ahmednagar for a period of one year from his release from jail.

- (v) The applicant-Shahaji Rama Jadhav shall give his residential address to the investigating officer and shall attend the police station Jamkhed, District Ahmednagar once in a fortnight, preferably on Sunday till charge sheet is filed.
- (vi) Criminal Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap1686.15