

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 1823 OF 2015
[Suresh Gautam Kamble 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 V.B.Jadhav, advocate for applicant
Smt. P.J.Bharad, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.
DATED : 23rd April, 2015

PER COURT :-

1] By the present application, the applicant is seeking his release on bail in connection with Crime No. 74 of 2014, registered with Murud Police Station, Taluka and District Latur, for the offences punishable under Sections 354(3)(A), 376 of the Indian Penal Code and under Sections 11(4), 3, 4, 5(1) and 6 of the Protection of Children from Sexual Offences Act.

2] I have heard Shri V.B.Jadhav, learned counsel for the applicant and Smt.P.J.Bharad, learned Additional Public Prosecutor for the respondent/State.

3] The first information report is lodged by the father of the prosecutrix on 17.7.2014. The statement of the prosecutrix is also recorded on 8.8.2014. It appears from her statement that the prosecutrix has already attained the age of understanding. Further, medical examination does not show at least prima facie that the applicant has committed intercourse with the prosecutrix against her wish. Since the charge sheet is already filed, further custodial presence of the present applicant is not required. The apprehension of

the prosecution can be taken care by imposing stringent conditions on the applicant. Hence, I pass following order.

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant-Suresh Gautam Kamble be released on bail, in connection with Crime No. 74 of 2014, registered with Murud Police Station, Taluka and District Latur, for the offences punishable under Sections 354(3)(A), 376 of the Indian Penal Code and under Sections 11(4), 3, 4, 5(1) and 6 of the Protection of Children from Sexual Offences Act, on he executing P.R. Bond in the sum of Rs.10,000/- with one solvent surety in the like amount.
- (iii) Bail before the trial court.
- (iv) The applicant is directed not to enter territorial limits of village Murud police station, District Latur till the trial is over.

(V.M.DESHPANDE, J.)

dbm/crap1823.15