

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY, BENCH
AT AURANGABAD.
Criminal Appellate Jurisdiction.**

Criminal Application No.1926 Of 2015.

Rahul @ Bablu Bharat Kharat.

Versus.

The State of Maharashtra.

Appearance :-

Mr. Joydeep Chatterji, learned counsel for the Applicant.

Mrs. S.G. Chincholkar, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. DESHPANDE, J.

DATE : 27th APRIL, 2015.

PER COURT :-

Present Criminal Application is filed by the Applicant for his release on bail, in connection with CR No.56/2015 registered with Dhule City Police Station, Dhule, District – Dhule for the offences punishable under Section/s 376, 420, 323, 504, 506 of the Indian Penal Code.

[2] Heard Mr. Joydeep Chatterji, learned counsel for the Applicant and Mrs. S.G.Chincholkar, learned Additional Public Prosecutor for the State of Maharashtra.

[3] The prosecutrix who is major and aged about 21 years lodged the report on 14th March, 2015 against the present Applicant. From the First Information Report it is crystally clear that the prosecutrix has developed intimacy with the present Applicant and their special relation has resulted into sexual intercourse with each other. However, it appears from the First Information Report that the present Applicant has thereafter

turned around and refused to marry with the prosecutrix. Therefore, she filed the report.

[4] Mr. Chincholkar, learned Additional Public Prosecutor has pointed that there are criminal antecedents against the present Applicant.

[5] Merely because criminal cases are pending against the present Applicant; that does not debar the present Applicant to claim his enlargement on bail, if the evidence in a case where-in the Applicant is seeking his enlargement on bail is weak in nature.

[6] In that view of the matter and looking to the accusation made against the Applicant in the First Information Report, this court is of view that, the Applicant has made out a case for regular bail. Hence, I pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - Rahul @ Bablu Bharat Kharat shall be released on bail on his executing PR Bond of Rs.15,000/- (Rs. Fifteen Thousand only.) with one solvent surety in the like amount, in connection with CR No.56/2015 registered with Dhule City Police Station, Dhule, District – Dhule for the offences punishable under Section/s 376, 420, 323, 504, 506 of the Indian Penal Code.

(iii) The Applicant shall attend Dhule City Police Station, Dhule, District – Dhule twice in a week, preferably on every Sunday and Wednesday and shall remain present in the

Police Station in between 3.00 to 5.00 p.m., till Charge is framed by the Trial Court.

(iv) Bail before trial court.

(v) Criminal Application is allowed and same is disposed of accordingly.

GAG

(V.M. DESHPANDE, J.)