

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

Criminal Application No. 2813 of 2014

The State of Maharashtra,
Through Bhagwan Patil,
R/o. Ganpur,
Taluka : Chopda,
District : Jalgaon.

.. Applicant
(Original complainant)

versus

Prashant Yuvraj Patil,
Age : 37 years,
Occupation : Labour,
R/o. Ganpur,
Taluka : Chopda,
District : Jalgaon.

.. Respondent
(Original accused)

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*Mrs. S.G. Chincholkar, Additional Public Prosecutor,
for the applicant - State.*

Mr. R.M. Deshmukh, Advocate, for the respondent.

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**CORAM : S.S. SHINDE &
A.M. BADAR, JJ.**

DATE : 9TH FEBRUARY 2015

PER COURT :

1. Heard.

2. Perused the findings recorded by the trial court. Prima facie, it appears that the trial court has not properly considered the evidence placed on record by the prosecution, about the age of the prosecutrix and also other evidence placed on record. The case is established for admission of appeal.

3. In the circumstances, the Application is allowed in terms of prayer clauses “A”, “B”, “C” and “F”. The Application stands disposed of.

4. Appeal **Admit.**

5. On admission, Adv. Mr. R.M. Deshmukh appearing for the respondent - accused waives service of notice for the respondent.

6. Action under Section 390 of the Code of Criminal Procedure, 1973, to follow before Sessions Court at Amalner [District : Jalgaon].

(A.M. BADAR)
JUDGE

(S.S. SHINDE)
JUDGE

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