

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 2560 OF 2015
[Balu Jagannath Alanjkar 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 N.B.Suryawanshi, advocate for applicant
Smt. Pratibha Bharad, A.P.P. for respondent

.....

CORAM : V.M.DESHPANDE, J.
DATED : 3rd July, 2015

PER COURT :-

- 1] This is an application for regular bail.
- 2] Heard Shri Shri N.B.Suryawanshi, advocate for applicant and Smt. Pratibha Bharad, A.P.P. for respondent.
- 3] The applicant is arrested in connection with Crime No. 306 of 2014, registered with Gangapur Police Station, District Aurangabad, for the offences punishable under Sections 307, 354-A, 452 of the Indian Penal Code, and under Section 8 of the Prevention of Children from Sexual Offences.
- 4] The investigating agency has already completed its entire investigation and charge sheet is also filed.
- 5] The first information report is lodged by injured herself. According to the first information report, her age is 17 years. From the first information report, on 12.12.2014, when the first informant was alone in the house, it is alleged that, that time present applicant entered into her house and tried to hold her hand with bad intention and when it was opposed, it is alleged that the present applicant assaulted by means of dagger and also stone.

6] Except the first informant there is no other eye witness. The injury certificate shows that all the injuries appearing on the person of the injured are simple in nature, except injury no.5 which is on ear lobe. Presently, the court has not evaluated the merits and demerits of the prosecution case, however, looking to the fact that except on ear lobe, all injuries are simple in nature, entire investigation is over and applicant is in jail since 14.12.2014 and in the near future, there is no possibility of trial being taken, further custodial presence of the applicant is not warranted.

7] Therefore, learned Additional Public Prosecutor submitted that the condition be put on the applicant that he shall not enter at Pragati Colony, Gangakhed.

8] Learned counsel Shri Suryawanshi submitted that till the trial is finished the present applicant will not enter into Pragati Colony, Gangakhed and shall stay at Ambewadi, Taluka Ganakhed.

ORDER

- (i) Application is allowed.
- (ii) Applicant-Balu s/o Jagannath Alanjkar be released on bail, in connection with Crime No. 306 of 2014, registered with Gangapur Police Station, District Aurangabad, for the offences punishable under Sections 307, 354-A, 452 of the Indian Penal Code, and under Section 8 of the Prevention of Children from Sexual Offences, on he executing P.R. bond of Rs. 25,000/- with one solvent surety in the like amount.
- (iii) The applicant-Balu shall not enter Gangapur city for any reason whatsoever till the trial is concluded.
- (iv) The applicant-Balu shall furnish the address of his residence to the investigating officer within eight days from his release from jail.
- (v) The applicant-Balu shall attend police station Vaijapur twice a week on every Wednesday and Saturday in between

2.00 p.m. to 6.00 p.m. till the trial is over.

(vi) Criminal Application is disposed of.

(V.M.DESHPANDE, J.)

dbm/crap2560.15