

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 2746 OF 2015
[Pravin s/o Bharat Balode 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 S.S.Dixit, advocate for applicant
Shri U.S.Mote, A.P.P. for respondent
Shri K.N.Shermale, advocate for first informant

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CORAM : V.M.DESHPANDE, J.
DATED : 26th June, 2015

PER COURT :-

1] The present application is filed by the applicant who is in jail since 3.5.2015 in connection with Crime No.54 of 2015, registered with Police Station Ghargaon, District Ahmednagar, for the offences punishable under Sections 363, 366 of the Indian Penal Code.

2] I have heard Shri S.S.Dixit, learned counsel for the applicant, Shri U.S.Mote, learned Additional Public Prosecutor for the respondent/State and Shri K.N.Shermale, learned counsel for the first informant.

3] The first information report is lodged by Ramdas who is the father of the prosecutrix. The report is lodged on 1.5.2015. The report would reveal that his daughter aged 17 years and 9 months was found to be missing from the house from 30.4.2015. According to the report itself, when first informant noticed about absence of the prosecutrix, on inquiry to his son it was disclosed that the prosecutrix who is elder to his son in age has stated that she has gone outside on the pretext that the first informant has called her, and

therefore, she left the house.

4] During the course of investigation, the prosecutrix was found in contact of the present applicant at Pune. The statement of prosecutrix was also recorded. It is not the case of the prosecution at all that the present applicant has taken undue advantage of the prosecutrix. The prosecutrix is the student of Polytechnic; whereas the present applicant is a student of Engineering College.

5] Though presently charge sheet is not filed, according to the learned Additional Public Prosecutor and from the investigation papers, which he has handed over to this court for perusal, clearly show that investigation is almost over and only formality of filing of the charge sheet is remained to done.

6] The afore said survey of the prosecution case leads me to pass the following order.

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant-Pravin s/o Bharat Balode be released on bail, in connection with Crime No.54 of 2015, registered with Police Station Ghargaon, District Ahmednagar, for the offences punishable under Sections 363, 366 of the Indian Penal Code, on he executing P.R. bond in the sum of Rs.5,000/- with one solvent surety in the like amount.
- (iii) Bail before the trial court.
- (iv) The applicant shall not in any way try to establish contact with the prosecutrix.
- (v) Application is disposed of.

(V.M.DESHPANDE, J.)