

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

CRIMINAL APPLICTION NO.2756 OF 2015.

Bhanudas Sawleram Doifode.

Versus.

The State of Maharashtra.

Appearance =>

Mr. S.J. Salunke, Advocate h/for Mr. Rahul Karpe, Advocate for the Applicant.

Mr. A.S. Shinde, Additional Public Prosecutor for the State of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 19th June, 2015.

Per Court :-

Present Criminal Application is filed by the Applicant for grant of regular bail in connection with CR No. I 147/2015 registered with Police Station, Rahuri, District - Ahmednagar for the offences punishable under Section/s 376 and 506 of the Indian Penal Code.

[2] Heard Mr. S.J. Salunke, learned counsel for the Applicant and Mr. A.S. Shinde, learned Additional Public Prosecutor for the State of Maharashtra.

[3] The Applicant is arrested on 25th April, 2015. Prosecutrix is the married woman having two children. The Applicant is serving as 'Watchman' at Mahatma Phule Krushi Vidyapith, Rahuri. According to the prosecutrix, the incident has happened at village Sade, Taluka – Rahuri, in the agricultural field of said University.

[4] According to the prosecutrix, against her wish, present Applicant has committed sexual intercourse with her. The Applicant was examined by the Doctor. The Doctor, who examined him found no injury what so ever in nature, appearing on the person of the present applicant.

[5] From the investigation papers, it is crystal clear that the entire investigation is over and only formality of filing of the charge-sheet is remained to be done.

[6] Mr. A.S. Shinde, learned Additional Public Prosecutor would submit that the prosecutrix and the Applicant are resident of one and the same village and if the applicant is released on bail then there is every possibility of pressurizing the prosecutrix at his end.

The learned counsel for the Applicant submitted that, in case the Applicant is enlarged on bail, he will not enter into territorial limits of village Sade, Taluka – Rahuri and he shall stay at Rahuri, District – Ahmednagar. That leads me to pass the following order :-

ORDER

(i) Criminal Application is allowed.

(ii) Applicant - Bhanudas Sawleram Doifode shall be released on regular bail on he executing P.R. Bond of Rs. 10,000/- [Rs. Ten Thousand.] with one solvent surety in the like amount, in connection with CR No. I 147/2015 registered with Police Station, Rahuri, District - Ahmednagar for the offences punishable under Section/s 376 and 506 of the Indian Penal Code.

(iii) Bail before trial court.

(iv) The Applicant shall stay at Rahuri, Taluka – Rahuri, District – Ahmednagar only and shall not enter into territorial limits of village Sade, Taluka – Rahuri, District – Ahmednagar, till trial is over.

(v) The Applicant shall not try to contact the prosecutrix.

(vi) The applicant shall furnish his residential address at Rahuri, District – Ahmednagar to the Investigating Officer.

(vii) The Applicant shall attend Police Station, Rahuri, District - Ahmednagar twice in a week, preferably on every Monday and Wednesday between 3.00 p.m. to 5.00 p.m, till charge sheet is filed.

(viii) That after filing of Charge-Sheet, the Applicant shall report to the Police Station, Rahuri, District - Ahmednagar once in a month preferably on every Sunday, till charge is framed, by the trial court.

(ix) With this Criminal Application is allowed and same is disposed of, accordingly.

(V.M. DESHPANDE, J.)