

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

CRIMINAL APPLICATION NO. 3419 OF 2015

Jyoti Sandeep Karpe

.... **APPLICANT**

V E R S U S

The State of Maharashtra

.... **RESPONDENT**

.....

Mr. V.Y.Bhide, Advocate for Applicant.

Mr. D.V.Tele, A.P.P. for Resp. – State.

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CORAM : V.M.DESHPANDE, J.

DATE : 20th JULY, 2015

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PER COURT :

1. This is an application for grant of bail. Applicant is arrested in connection with Crime No. 69/2015 registered with Akole police station, Akole, District Ahmednagar for the offences punishable u/s 376,328,120 (B) of the Indian Penal Code and u/s 3 (i) (xii), 3 (2) (v) of the Scheduled Castes and the Scheduled Tribes [Prevention of Atrocities] Act.

2. Heard Mr. V.Y.Bhide, learned counsel for the applicant and Mr. D.V.Tele, learned A.P.P. for respondent – State.

3. F.I.R. is lodged by prosecutrix herself. Her age is 30 years. According to F.I.R., date of incident is 22/01/2015, however F.I.R. is lodged on 27/05/2015 i.e. after four and half months. Further, present applicant, who is a lady, can not be held responsible for sexual intercourse nor there are any such allegations against her. In view of the fact that present applicant is lady, discretion can be exercised in her favour though the charge sheet is not filed. That leads me to pass the following order.

- (i) Present Criminal Application is hereby allowed.
- (ii) Applicant Jyoti Sandeep Karpe be released on bail in connection with Crime No. 69/2015 registered with Akole police station, Akole, District Ahmednagar for the offences punishable u/s 376,328, 120 (B) of the Indian Penal Code and u/s 3 (i) (xii), 3 (2) (v) of the Scheduled Castes and the Scheduled Tribes [Prevention of Atrocities] Act on she executing P.R. Bond of Rs. 5,000/- [Rupees Five Thousand] with one solvent surety of like amount. Bail before the trial court.

- (iii) With these observations, present Criminal Application is disposed of.

[V.M.DESHPANDE, J.]

KNP/Cr.Apln. 3419.2015