

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

CRIMINAL APPLICATION NO.3489 OF 2015

Sanjay Maroti Ghorpade

.. APPLICANT

Versus

State of Maharashtra .

.. RESPONDENT

...

Shri Sachin Deshmukh, Advocate for applicant
Smt.P.J.Bharad ,APP for respondent State

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**CORAM : V.M.DESHPANDE,J.
DATED : 21ST JULY, 2015**

ORDER :-

This is an application for bail. The applicant is arrested in connection with Crime No.11/15 registered with Vimantal (Airport) police station, Nanded Dist.Nanded for offences punishable u/s 376(2)(G),323,504,506 r.w. 34 of IPC.

2] I heard the learned counsel Shri Deshmukh for the applicant and Smt.Bharad, learned A.P.P. for respondent State.

3] The FIR is lodged by prosecutrix herself. She is major. From the FIR, it is clear that initially other accused came to her house and gave a call to the prosecutrix, therefore, due to fear, she opened the

door, thereafter, co-accused Pankaj dragged the prosecutrix from her house on the road, thereafter, she was taken on a ground where she was sexually assaulted by the accused persons including present applicant.

4] The investigation is already over. Charge sheet is already filed. The applicant is in jail since 26/1/2013. Though the prosecutrix has stated that she was dragged from her house, firstly on the road and thereafter to the ground, the medical report shows that there are no external injuries on the prosecutrix. Further there is no progress of the Sessions Case No.103/13. Looking to the aforesaid aspect and looking to the fact that the applicant is in jail since long, the applicant can be released on bail on certain stringent conditions and that leads me to pass following order :

ORDER

A] Application is allowed. Applicant Sanjay Ghorpade be released on bail in connection with Crime No.11/15 registered with Vimantal (Airport) police station, Nanded, Dist.Nanded for offences punishable u/s 376(2)(G),323,504,506 r.w. 34 of IPC. on he executing PR bond of Rs.50,000/- (Rs.Fifty thousand only) with two solvent sureties in the like amount to the satisfaction of trial Court. Bail before trial Court.

B] That the applicant shall not enter into village Kamtha, Tq. Ardhapur, Dist.Nanded and also the area known as Laxminagar till the trial is over.

C] The applicant shall attend police station Vimantal, Nanded once in a fortnight in between 3 to 5 p.m. on every Wednesday till the trial is over.

(V.M.DESHPANDE,J.)

umg/