

FARAD CONTINUATION SHEET NO.

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

CRIMINAL APPLICATION NO. 3693 OF 2015**[Dhanraj @ Bhaiyya Suresh Pardeshi 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 Joydeep Chatterjee, advocate for applicant
Shri D.V.Tele, A.P.P. for respondent

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CORAM : V.M.DESHPANDE, J.**DATED : 28th July, 2015****PER COURT :-**

- 1] This is an application for regular bail.
- 2] The applicant is arrested in connection with Crime No. 28 of 2015, registered with Sindkheda Police Station, District Dhule, for the offences punishable under Sections 376, 506 of the Indian Penal Code. The applicant is arrested on 4.3.2015 and since then he is in jail.
- 3] Heard Shri Joydeep Chatterjee, learned counsel for the applicant and Shri D.V.Tele, learned Additional Public Prosecutor for the respondent/State.
- 4] The investigating agency has completed its entire investigation and challan is already presented before the court of law.
- 5] The first information report is lodged by the prosecutrix herself. She is major and a married woman. According to the first information report, on 3.3.2015 her husband left the house to attend funeral. Thereafter the prosecutrix was intending to sleep, and therefore, without latching the door from inside, she was asleep. That time, according to the first information report, at 1 O' clock on 4.3.2015 present

applicant came and committed sexual intercourse with the prosecutrix. The prosecutrix was examined on very same day. No signs of resistance are found on the body of the prosecutrix. Further, the investigation is already over.

6] The applicant, who is in jail since 4.3.2015, therefore, need not be detained further in view of the fact that there is no likelihood of trial being taken soon in near future. That leads me to pass following order.

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant-Dhanraj @ Bhaiyya Suresh Pardeshi be released on bail, in connection with Crime No. 28 of 2015, registered with Sindkheda Police Station, District Dhule, for the offences punishable under Sections 376, 506 of the Indian Penal Code, on he executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.
- (iii) Bail before the trial court.
- (iv) The applicant-Dhanraj @ Bhaiyya shall attend Sindkheda police station once a fortnight preferably on every Sunday till the trial is over.
- (v) The applicant-Dhanraj @ Bhaiyya shall not try to contact in any way the prosecutrix or to shall not try to pressurize her or any of the prosecution witness.
- (vi) Criminal Application is disposed of.

(V.M.DESHPANDE, J.)