

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

CRIMINAL APPLICATION NO. 3765 OF 2015.

SANDIP S/O SHARAD SHINDE & OTHERS.

VERSUS

THE STATE OF MAHARASHTRA.

Appearance =>

Mr. N.K. Kakade, Advocate h/for Mr. Dattraya R.Markad,
Advocate for the Applicants.

Mrs. Pratibha Bharad, Additional Public Prosecutor for the State
of Maharashtra.

CORAM : V.M. Deshpande, J.

DATE : 30th July, 2015.

Per Court :-

Present Criminal Application is filed by the Applicants for grant of regular bail in connection with CR No.I 127/2015 registered with Kotwali Police Station, Ahmednagar, District - Ahmednagar for the offences punishable under Section/s. 363, 366, 323, 504 506 read with 34 of the Indian Penal Code and under Section/s 16 and 17 of the Prevention of Children from Sexual Offences Act and under Section 3 read with 25 of Arms Act.

[2] Heard Mr. N.K. Kakade, learned counsel for the Applicants and Mrs. Pratibha Bharad, learned Additional Public Prosecutor for the State.

[3] First Information Report is lodged by Jishan Rais Shaikh, brother of the prosecutrix. According to the First Information Report, on 22nd May, 2015 when the prosecutrix was alone in their house that time, Applicant – Sharad, who is his neighbour came to their house alongwith his son – Sunny and they enticed the prosecutrix, whose age is 17 years and in that process when they were taking the prosecutrix with them on the motorcycle, that time, first informant resisted them, upon that, accused – Sunny shown revolver to him and thereafter, they took away the prosecutrix with them.

[4] According to the prosecution, prosecutrix was enticed for her marriage with Sunny. At the relevant time, Sunny was also minor. It is reported that Sunny is no more.

[5] From the investigation papers, it is clear that, investigation is almost over and formality of filing of the charge sheet is remained to be done. From the entire material collected during the course of investigation, it is clear that, allegations against Applicant Sandip are very minor in nature. Further looking to the fact that Applicants are arrested on 23rd May, 2015 and only formality of filing of the charge sheet is remained to be done, Applicants can be released on bail by imposing certain conditions. That leads me to pass the following order :-

ORDER

- (i) Criminal Application is allowed.
- (ii) Applicant No.1 – Sandip Sharad Shinde and Applicant No.2 – Sharad Digambar Shinde shall be

released on regular bail on they executing P.R. Bond of Rs. 15,000/- [Rs. Fifteen Thousand.] each with one solvent surety in the like amount, in connection with CR No.I 127/2015 registered with Kotwali Police Station, Ahmednagar, District - Ahmednagar for the offences punishable under Section/s. 363, 366, 323, 504 506 read with 34 of the Indian Penal Code and under Section/s 16 and 17 of the Prevention of Children from Sexual Offences Act and under Section 3 read with 25 of Arms Act.

(iii) The Applicants shall attend Kotwali Police Station, Ahmednagar, District – Ahmednagar twice in a week on every Sunday and Tuesday between 3.00 p.m. to 5.00 p.m, till charge sheet is filed.

(iv) After filing of the Charge-Sheet, the Applicants shall attend Kotwali Police Station, Ahmednagar, District – Ahmednagar once in a fortnight, preferably on every Sunday between 3.00 p.m. to 5.00 p.m., till trial is over.

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

(V.M. DESHPANDE, J.)