

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

CRIMINAL APPLICATION NO.4300 OF 2015

Sanjay s/o Kanhaiyalal Jaiswal,  
Age 30 years, Occu. Household,  
R/o Rajwadi, Taluka Basmath,  
District Hingoli

.. Applicant

Versus

The State of Maharashtra  
through Kurunda Police Station,  
Kurunda, Taluka Basmath,  
District Hingoli

.. Respondent

Mr M.P. Bhaskar, Advocate for applicant  
Mrs B.B. Gunjal, A.P.P. for respondent

**CORAM : N.W. SAMBRE, J.**

**DATE : 31<sup>st</sup> August 2015**

**PER COURT**

Heard.

2. The present applicant is seeking regular bail in Crime No.117/2014 for the offence punishable under Sections 363, 366, 34 of the Indian Penal Code, registered at Kurunda Police Station, District Hingoli, pursuant to the order dated 15<sup>th</sup> December 2014 passed by the Illrd Judicial Magistrate, First Class, Basmath, in exercise of powers under Section 156 (3) of the Code of Criminal Procedure.

3. It is the case of the prosecution that the complainant Dhulba Pimpre is having a daughter by name Kusum who was kidnapped by misleading her under the promise of marriage.

4. Pursuant to the complaint and the orders passed by the

Magistrate, the investigation in the matter was set in motion and applicant was arrested on 9<sup>th</sup> April 2015. Along with accused, the other accused who were arrested, are already released on regular bail. The applicant was shown to be the main accused in the crime in question.

5. The medical report in the present case reflects no internal or external injury to the said girl - Kusum, apart from sexual intercourse.

6. Leave apart, from the statements recorded during investigation, it reflects that the story that is sought to be put forth by the complainant, which was investigated, appears to be doubtful. In view thereof and as the investigation is already completed and other accused are already released on regular bail and there is no internal and external injury to the said girl Kusum, it will be appropriate, in my opinion, to order release of the present applicant on following conditions:

(I) The applicant Sanjay Kanhaiyalal Jaiswal be released on bail in Crime No.117/2014, registered at Kurunda Police Station, District Hingoli, for the offence punishable under Sections 363, 366, 34 of the Indian Penal Code, upon furnishing P.R. Bond of Rs.10,000/- with one surety in the like amount;

(II) The applicant shall keep himself away from the jurisdiction of Kurunda Police Station till conclusion of the trial.

7. Criminal Application is allowed in above terms.

**( N.W. SAMBRE, J.)**

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