

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.440/2015

(Suresh Devraoji Umak.vs.State of Maharashtra, thr. PSO P.S.Pathrot, Dist.Amravati)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. S. V. Sirpurkar, Advocate for applicants.
Mr. V. A. Thakare, A.P.P. for non applicant-State

CORAM : V. M. DESHPANDE, J.

DATE : SEPTEMBER 10, 2015.

Heard learned counsel for the applicants
and learned A.P.P. for non applicant-State.

By the present application, the applicant is
seeking his enlargement on bail since he is arrested in
connection with Crime No.16/2015 for an offence
punishable under Sections 452, 376, 506 of the Indian
Penal Code.

The FIR is lodged by the prosecutrix herself.
She is aged about 36 years and having a son of 17
years. On the date of incident, her husband and son
had gone out for their labour work. According to the
FIR, the first informant was doing some work inside
her house and the door was closed from inside. That
time, the present applicant entered into the house by
opening the door and, therefore, committed sexual
intercourse against the will of the prosecutrix. The said
fact is noticed by one prosecution witness Gopalrao.
With these allegations, the FIR was lodged. On perusal

of the FIR, prima facie, the role of the prosecutrix herself cannot be ruled out. In that view of the matter, the applicant has made out a case for bail. Hence, I make the following order.

ORDER

(i) Criminal Application No.440/2015 is allowed.

(ii) The applicant-Suresh Devraoji Umak, be released on bail in connection with Crime No.16/2015 registered with Police Station Pathrot, Dist. Amravati for an offence punishable under Sections 452, 376 and 506 of the IPC, on he executing P.R. Bond in the sum of Rs.25,000/- with one surety in the like amount.

(iii) The applicants shall attend Police Station Pathrot, Dist. Amravati once in a month i.e. on the last Sunday of every month between 3.00 p.m. to 5.00 p.m. till culmination of the trial.

(iv) The applicant shall not try to influence or pressurize either the victim or the prosecution witnesses.

JUDGE