

IN THE HIGH COURT OF JUDICATURE AT BOMBAY:
NAGPUR BENCH : NAGPUR
Criminal Application [BA] No. 529 of 2015
[Amjad Khan son of Saheb Khan Vs. State of Mah.]

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

Court's or Judge's orders

Mr. T.U. Tathode, Adv., for the Applicant.
Mr. V.A. Thakre, APP for respondent.

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CORAM : V.M. DESHPANDE, J.

DATE : 31st August, 2015.

- 01.** This is an application for regular bail.

- 02.** The Applicant is arrested by the Police Station Authorities of Nandgaon [Khandeshwar], Distt. Amravati, in Crime No. 125/14 registered for the offence punishable under Sections 354, 354-A (1) and (2) and 354-B of Indian Penal Code, Sections 8 and 9 (m) of the Protection of Children from Sexual Offences Act, 2012, and Section 3/181 of the Motor Vehicles Act.

- 03.** Heard Shri T.U. Tathod, learned counsel for the Applicant and Shri V.A. Thakre, learned Addl. Public Prosecutor for the respondent-State.

- 04.** Learned counsel for the applicant invited my

attention to the statement of first informant - Vishal Suresh Deshmukh contained in the First Information Report dated 1st August, 2014 and his statement recorded under Section 161, Criminal Procedure Code. He pointed out that there is a variance on the material aspect in respect of the place where the prosecutrix has disclosed the acts on the part of present applicant.

05. Further, the investigation is over and charge-sheet is already filed.

06. Looking to the nature of the accusations made in the First Information Report and in the statement, I am of the view that the further custodial presence of the Applicant will not serve any purpose in view of the fact that there is a little possibility of the trial being taken up for its consideration in the near future. Hence I make the following Order:-

O R D E R

[a] Criminal Application [BA] No. 529 of 2015 is allowed.

[b] The Applicant - Amjad Khan son of Saheb Khan Pathan be released on bail on he executing a Personal Bond in the sum of Rs. 25,000-00 [rupees twenty-five thousand only] with one surety of like amount in

connection with Crime No. 125/14 registered with respondent - Police Station, Nandgaon [Khandeshwar], Distt. Amravati, for the offences punishable under Sections 354, 354-A (1) and (2) and 354-B of Indian Penal Code, Sections 8 and 9 (m) of the Protection of Children from Sexual Offences Act, 2012, and Section 3/181 of the Motor Vehicles Act.

- [c]** That, the Applicant shall attend the Police Station once in the week preferably on every Tuesday between 2.00 p.m., and 5.00 p.m. till the charge is framed.
- [d]** That the applicant shall not tamper with the prosecution case.
- [e]** It is ordered that the applicant shall not enter into the vicinity of village Rajura till the culmination of the trial.
- [f]** Bail before Trial Court.

Judge

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