

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

CRIMINAL APPLICATION (BA) NO. 615 OF 2015

(Satish Bondyalu Ranguwar Vs. The State of Maharashtra & another)

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

Court's or Judge's orders

Shri J. Y. Ghurde, Advocate for the applicant.
Shri P. V. Bhoyar, A.P.P. for the State.

CORAM : V. M. DESHPANDE, J.
: 11 SEPT., 2015

The present applicant is arrested on 02/8/2015 in connection with Crime No.38/2015 registered with police station, Sironcha, Distt. Gadchiroli for the offences punishable under Sections 376(1), 313, 315, 328, 342, read with Section 34 of the Indian Penal Code and under Sections 33, 36 of the Maharashtra Medical Practitioner Act, 1961.

Heard Shri Ghurde, learned Counsel for the applicant and Shri Bhoyar, learned A.P.P. for the State.

The main claim of opposition of the bail of present applicant is that the investigation is in progress and charge-sheet is not yet filed.

The first information report is lodged by Rajeshwari Durge, aged about 22 years. From the FIR it is clear that she was having illicit relation with Balaji Bore, who is already arrested in the crime. From the FIR it is clear

that from Balaji Bore she became pregnant and then Balaji took the first informant to his house as his wife. Thereafter, the first wife of Balaji took the first informant to the Hospital for confirmation about her pregnancy, which was confirmed by the doctor. It is further allegation of the prosecution that thereafter Balaji gave some medicine to Rajeshwari which caused termination of her pregnancy.

According to the prosecution, Balaji has stated that he has received the said medicine from one Damodar, who is not accused in the present crime. The statement of Damodar shows that when his wife was having pregnancy, the present applicant gave medicine to him and that medicine was given by Damodar to Balaji. This is the nature of evidence against the present applicant.

In view of the aforesaid nature of evidence, merely because charge-sheet is not filed, the applicant cannot be detained further. The investigation papers show that the investigation is almost over. Only formality of filing of charge-sheet is to be done. In that view of the matter, the application needs to be allowed. Hence, following order.:

The application is allowed.

Applicant Satish Bondyalu Ranguwar be released on bail on his executing a P. R. Bond in the sum of

Rs.30,000/- (rupees thirty thousand only) with two solvent sureties in the like amount in connection with Crime No.38/2015 registered with police station, Sironcha, Distt. Gadchiroli for the offences punishable under Sections 376(1), 313, 315, 328, 342, read with Section 34 of the Indian Penal Code and under Sections 33, 36 of the Maharashtra Medical Practitioner Act, 1961.

The applicant shall attend police Station, Sironcha, Distt. Gadchiroli twice a week, i.e. on every Saturday and Monday after his release from jail till the charge-sheet is filed.

Bail before trial Court.

JUDGE