

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPLICATION NO. 1394 OF 2016

Devrao @ Balu S/o Anandrao
(Deshmukh) Kalyankar,
Age 33 years, Occu.: Agril.,
R/o Ekamba, Tq. Himayatnagar,
Dist. Nanded
(At present in jail)

.. Applicant

Vs.

The State of Maharashtra,
Through Police Station Officer,
Himayatnagar Police Station,
Nanded, Tq. and Dist. Nanded

.. Respondent

.....

Mr. G.G. Kadam, Advocate for the applicant
Mr. U.S. Mote, APP for the respondent-State

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CORAM : M.T. JOSHI, J.

DATED : 31/03/2016

ORAL ORDER :

Heard both sides.

2. The present applicant, who is arrested by Himayatnagar Police Station, Dist. Nanded in Crime no.35 of 2016 for the offences punishable under section 354, 452 of the Indian Penal Code and under section 8 of the Protection of Children From Sexual Offences Act

and under section 3(w), 1(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, is praying for his release on bail.

3. The victim's complaint would show that on 19/2/2016 at about 11.30 pm, the present applicant barged in her house and started making sexual advances against her. As she shouted, applicant went away and, therefore, the complaint came to be filed on 20/2/2016 at 5:30 pm.

5. Mr. Kadam, learned counsel for the applicant submits that the complaint is belated. Present applicant was arrested on 23/2/2016. The investigation is almost complete.

6. Learned A.P.P. opposed the application.

7. Considering all the facts on record, the Application is allowed.

8. The applicant be released on bail in Crime no.35 of 2016 registered with Himayatnagar Police

Station, Dist. Nanded for the offences punishable under section 354, 452 of the Indian Penal Code and under section 8 of the Protection of Children From Sexual Offences Act and under section 3(w), 1(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, upon his executing P.R. bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand) and also upon furnishing surety in the like amount.

9. The applicant shall not enter the territorial limits of Nanded (except for attending the hearing in the Court) as well as village Ekamba, Tq. Himayatnagar, Dist. Nanded for a period of one (1) year or till the trial is concluded, whichever occurs earlier, without the prior permission of the concerned Sessions Court.

10. Application stands disposed of accordingly.

[M.T. JOSHI]
JUDGE

arp/-