

CRIMINAL APPLICATION NO. 1733 OF 2016

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DATED : 28th JUNE, 2016

PER COURT :-

Heard.

2. The applicant is seeking regular bail in Crime No.177 of 2015, registered at Washi police station, Tq. Washi, Dist. Osmanabad, for the offences punishable under Sections 376(1), 313 r/w 34 of the Indian Penal Code, under Section 4 of the Protection of Children from Sexual Offences

Act and under Section 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.

3. The applicant submits that the investigation in the matter is complete as the charge sheet is already filed and there are no criminal antecedents against the applicant. Learned counsel Shri Nagargoje then would submit that perusal of the FIR and other investigation papers would depict that the complainant victim is consenting party, however, the only exception is that it was a conditional consent.

4. Having perused the investigation papers and other material available on record, in my opinion, it could be observed that the complainant was a consenting party to the alleged crime.

5. In my opinion, in absence of any criminal antecedents as the charge sheet is already filed, applicant deserves to be released on bail.

6. The applicant be released on bail in Crime No.177 of 2015, registered at Washi police station, Tq. Washi, Dist. Osmanabad, for the offences punishable under Sections 376(1), 313 r/w 34 of the Indian Penal Code, under Section 4 of the Protection of Children from Sexual Offences Act and under Section 3(1)(xii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act upon his executing P.R. Bond in the sum of Rs.15,000/- with one surety in the like amount.

7. The applicant shall not tamper with the prosecution evidence or shall not influence the witnesses directly or indirectly.

(N.W.SAMBRE, J.)

dbm/crap1733.16